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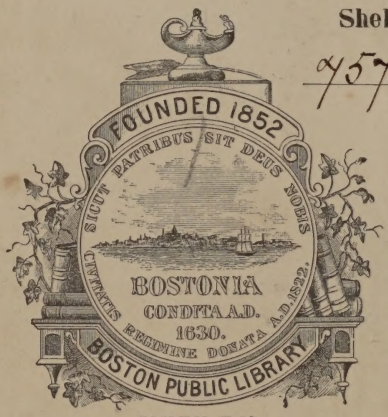

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Dr. Francis H. Brown

June 5, 1895.

Pamph. Jp 11 no 4240.91

ARGUMENT

BEFORE THE

TEWKSBURY INVESTIGATION COMMITTEE,

BY

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GOVERNOR BENJ. F. BUTLER,

UPON FACTS DISCLOSED DURING THE RECENT INVESTIGATION,

JULY 15, 1883.

PRINTED FOR THE INFORMATION OF THE
PEOPLE BY THE DEMOCRATIC
CENTRAL COMMITTEE.

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CITY OF BOSTON

PREFACE.

THE following is a verbatim report of the speech made by GOVERNOR BUTLER on the 15th of July, 1883. Not a word which has been objected to by the Republican newspapers has been omitted. Some additions have been made, necessary to have the subject understood by those who read the argument, but which were not necessary to be spoken to the Committee, who were familiar with the evidence.

"The graces taught in the schools, the costly ornaments, and studied "contrivances of speech, shock and disgust men when their own lives "and the fate of their wives, their children, and their country hang on "the decision of the hour." — WEBSTER.

Dr Francis H. Brown

June 5, 1895.

ARGUMENT

BEFORE THE

TEWKSBURY INVESTIGATION COMMITTEE.

SUNDAY GLOBE OF JULY 15, 1883.

I AM not of counsel in this case. I occupy a different position. If I were in the position of counsel, I should be permitted to say many things that I, perhaps, in my position, shall not feel myself called upon to say. The arguments of counsel to a tribunal are only valuable in so far as they bring to the attention of that tribunal such absolute facts and matters of evidence as should bear upon the question at issue. And, if counsel depart from that, then their remarks become worse than useless. Counsel rarely ever do that. In this case, while I pardon much to the counsel for the defence, yet if I can show you that his clients have misled him, and that he has, by their instruction, felt himself obliged to put before you absolute untruths, why, then you will know what amount of allowance to make for the rest of his argument.

The counsel has made a very severe attack upon a very respectable lady, Mrs. Warner, long engaged in benevolent work, who has come here and told the exact truth. He was misled into that by the instruction of one of the Marshes, who sat behind him. The case was this: Mrs. Warner testified the State authorities gave her charge of a child by the name of Willie Marshall; that when she took that charge, Willie Marshall being an infant of tender age, she nursed and provided for him as well as she could under the permission of the State Board of Health, Lunacy and Charity; the child was then put into Tewksbury and kept there fourteen days without her knowledge; that she followed it and took it out of Tewksbury; that while the child was under her charge, during the four months previous, and at the time it went to Tewksbury, it was an absolutely healthy child; that when it came out of Tewksbury its eyes were affected with syphilitic running sores, a disease caught in the institution, presumably due to being washed in the same water with other diseased infants. By kind and careful attention, since the child left the almshouse, he has got well, except that he lost his eyebrows. If she foisted that story upon the committee, if it is untrue, she does not deserve a place on earth.

The counsel has told you she has done so, and his client pointed him to what is called a "nominal entry," which he said was made in order to give her charge of the child, and that he never was at Tewksbury at all, and that Mrs. Warner deliberately lied. I hold in my hand volume 27 of the Tewksbury records, where I find this entry: —

"No. 55,261. Willie Marshall, from Boston; admitted June 14, 1877; born in Boston; two years old; parents, Hannah Elizabeth Connors and Hiram Stone; a ward of Mrs. Warner's; discharged, June 14, 1877."

This is the "nominal admission" of which the counsel spoke when he said Willie Marshall never was in Tewksbury. Yet in this same volume 27 of the Tewksbury records I find the following entry: —

"No. 53,661. Willie Marshall, from Boston; admitted Oct. 3, 1877; born in Boston; two years old; mother, Hannah Elizabeth Connors; father, O. H. Stone; discharged Oct. 17, 1877." The very date the witness testified she took Willie from Tewksbury, after he had been there 14 days.

I now turn to the register of inmates at the Tewksbury Almshouse, and I find "No. 53,661, Willie Marshall, two years of age, birthplace unknown; from Boston; admitted Oct. 3, 1877; deserted; discharged from the institution Oct. 17, 1877; left at 103 Kendall Street." So that the record exactly confirms Mrs. Warner, and yet only a partial record was put before you, to deceive you; and this good woman was not only accused by the counsel of being a liar, but he said that Moses Sargent, Mr. Brown's detective, went down and talked with her, and found out that she was a liar, and didn't want anything more of her. How widely from the truth the counsel's client misled him, and, through him, tried to cheat you! From one instance learn all. I do not think the counsel meant to do this cheat, but I do think his client did mean it. At least, his client, knowing better, sat still by his side and allowed counsel to slander this woman's character in his presence and in the presence of the people of the Commonwealth. I sent for the record down stairs with this result.

Now, gentlemen, what is this State institution? It was founded under a law passed in 1852, receiving its first inmates in 1854, for the purpose of taking care of all State paupers; that is, those born of parents not having any legal settlement in this State, and no others; and you know it requires a certain term of residence in this State, and the paying of certain taxes, both, to give a settlement. And the counsel thinks it very remarkable that a large percentage of aliens should be found in the institution. Why, the institution was only made for those who were aliens in the Commonwealth, and no others could go there except by a cheat, and yet the counsel argued

largely upon the topic that a large per cent. of its inmates were aliens.

It was established as an institution where all such of those who were infirm and poor should have a house of refuge. Now, the question is before you whether that has been a proper house of refuge, so conducted and carried on that you will sustain it by your report to the Legislature, and say whether it has always been well conducted, and that there is no further improvement wanted in its management or its conduct.

I come to another matter. This institution was under the charge of Captain Thomas J. Marsh — although why he was called captain does not appear; it certainly was not for any service in any war that I ever heard of — from 1858, for twenty-five years, up to June last, and under the control of his family. The first years, from 1858 to 1872, while there were some complaints, yet there were no actual official complaints, but in 1873 the Board of State Charities, whose place is now held by the State Board of Health, Lunacy and Charity, made very grave official complaints to Governor Washburn, of which I may speak more at length hereafter, but no investigation was made. They renewed that complaint to Governor Talbot, whose home was within a half dozen miles of this institution.* No investigation followed by him, although those complaints included licentiousness of the assistant superintendent, killing of inmates by his sister, stealing property of the State by his mother, abuse of insane and other patients, and mismanagement of the almshouse in several particulars therein set forth, as appears on the record. The Board renewed their complaint in 1876 to Governor Rice. From that no investigation followed. He tells you that he went up to Tewksbury, but he did not visit the almshouse to investigate these charges of crime and wrong, but only went up to look at the institution; and he was careful to say that he found that the pots, pans, and glasses, and the crockery-ware were all clean; and that they had clean dish-cloths, and he came away. Is not that exactly what he testified to you? But he never asked a word about those wrongs. After he came away he sent up these very grave charges, made by the Board of Charities to him, to the Board of

* "*Voted*, That a committee, consisting of the Chairman, Dr. Allen, and Mr. Donnelly, be instructed to prepare a draft of a communication, with recommendations, concerning the State Almshouse, addressed to the Governor, and submit the same at the next meeting of the Board; and that the report of the Executive Committee, prepared by the Chairman, be submitted to that committee:

"*Voted*, That the Board ask His Excellency the Governor carefully to consider whether the administration of the State Almshouse ought not to be changed:

"*Voted*, That in communicating the above vote to the Governor, he be informed that the Board is preparing a statement covering the whole subject, which it will hereafter present to His Excellency."

Trustees of the almshouse itself, who were themselves at fault, to investigate. The record shows that the Trustees investigated them all in one day, by asking the accused parties if they were guilty, and they said they were not, and the Trustees did not ask anybody else about the matter, and thereupon reported the charges not true. Meanwhile certain specific charges, not amounting to a very great deal, not of the State Board of Charities at all, but of Mr. Sanborn, its secretary, were brought before the Legislature in the winter of 1876, and they were heard. I said they did not amount to much, because they were substantially that the ventilation was not good, and that the cleanliness was not very good, and that one man, an attendant at the institution, of low grade, had got some pauper with child. Those were investigated, and the committee and Mr. Sanborn got into such a row over that investigation that the Sergeant-at-arms was called to part them. But no special result came from that investigation. There were three reports by that legislative committee, each wholly inconclusive. Sanborn made the charges.

From nothing, nothing comes. Complaints multiplied. Things were going wrong, or were supposed to be going wrong, and it was found all over the State that there was an unwillingness on the part of paupers to go to Tewksbury. The grand jury of Suffolk County undertook to investigate one branch of its conduct, and they called before them Dr. Dixwell and examined him, supposing perhaps, that because Harvard Medical School was in Boston they would have some jurisdiction of the question of the bodies of infants being sent down there. But the district attorney could have told them that Suffolk was not the county of jurisdiction, and that Middlesex County was the place where the investigation should be had; and so that investigation came to nothing.

But here is the important fact to which I want to call your attention. Dr. Dixwell went before that grand jury and swore precisely as he did here. He went on a summons, told the same story, and nobody said then that even any signs of insanity or anything wrong attached to him at that time — not even queerness of dress. His testimony was published in the newspapers of that day and never denied.

The next thing that happened was that, in the course of certain campaign speeches, the question of the administration of this almshouse came into notice, and very many things were said on the one side and on the other in regard to its conduct. No investigation followed in the Legislature or by the Governor during the three following years. In the meantime the expenditures of the almshouse, as the records show, were running up year by year.

When, in 1883, the Governor of the Commonwealth delivered his

inaugural address he stated these scandals taken from the records, and in order that he might not go too far he said: "Has not this testimony been before the grand jury and not denied?" That address was delivered on the 4th of January. You were told here by counsel that an indignant people at once arose and demanded an investigation of the statements therein. The way investigations are usually demanded by an indignant people is by petition, asking for them. He says the Commonwealth was slandered, and the indignant people rose up, and you had to investigate. That is what he told you this morning. Is there any petition of that sort on your files? If so, I have not seen it or known of it. The indignant people have kept their indignation to themselves in that regard with a great deal of patience so far as anything on your records is concerned. No single petition was filed for this purpose. The dominant party in the Legislature passed an order for this investigation on the 7th of February, nobody asking them so to do who could be called people. For some reasons — I must suppose good ones — the investigation was put off and nothing done about it until the 26th or 27th of March, almost three months after what the counsel is pleased to term "the charges" were made.

The first thing I heard of the investigation was at that time when a portion of your committee called upon me in the executive office and asked me if I would appear before the legislative committee and put in such evidence as I had in relation to the almshouse, and that appears upon your records, I suppose, at least it ought so to do. I replied that I did not know any precedent for so doing. I doubted whether I ought, but that I would examine the precedents and look the thing over and send you a written communication, telling you my determination. And at the earliest convenient moment I sent the committee a communication, in which I said: "I have come to the conclusion, in answer to your invitation, to come before you and put in such evidence as I have in the investigation, and I wish you would send me some blank subpœnas for witnesses." The next day, Mr. Chairman, a large delegation of your committee came filing into my office. After the proper salutations the chairman said in substance: "You misunderstood us, Governor. We did not invite you to come before us and put in evidence." I then said, somewhat irreverently, in substance, because I am a little quick sometimes: "Then what were you here at all for the other day? If you didn't want me what did you come to me for?" I then said: "Don't let's have any mistake about this" — and I had there present a stenographer and one of the highest officers of the government as a witness — "if you want me to come say so, and I will come. If you don't want me, say so, and I won't; but I give you notice, if you inves-

tigate without me, I will rake after the cart, and that means gathering up all the stray straws." And the committee concluded they wanted me, and here I am.

I mean to leave no room for any man to say I am here voluntarily, and that I wanted this investigation to be had. I neither sought it nor shunned it. I did what I deemed my duty to my God, my conscience, and the people of the Commonwealth. Thus we came together and began to investigate, and we have investigated as well as we could, laboring under difficulties, for several months.

Will you allow me to say here, Mr. Chairman, it is not my fault the investigation did not begin sooner. If you had begun as soon as you were appointed, then we should have had cooler weather to finish the investigation in than we have now, even if we were up at the top of the little hillocks of Haverhill, where cool air blows.

There is one thing I have a right to say to the committee and say for them. They have worked as a committee with unexampled diligence. To that I bear my full testimony. Now and then a man was absent on the one side or the other, but always a quorum within ten minutes of the time, devoting all the time they could to it, and I giving all the time I could to it. So much I can say and ought to say.

We have now reached the main question: What has been the administration of this State almshouse? Having got through with the arguments that were addressed for a half hour this morning to your prejudices, by the counsel, let us come to the work in hand.

The administration of the institution for a quarter of a century has been wrong in principle, because this institution was put in charge of one family during this whole time, sometimes having officers to the number of seven, — father, mother, aunt, children, and grand-children. As fast as one of the Marshes got old enough to chip the shell it came into this administration as an officer. Now, nothing in the world can be right under such administration. The family — and I am not now speaking of the Marsh family solely, because it is human nature — became a clique within themselves. They protect each other, and turn out everybody who makes a complaint as to what is done, however good the complaints and complainants may be. That principle of administration would ruin any institution.

There is another thing wrong about it. All the trustees, so far as we know of them, except the two estimable ladies of whom we have neither heard nor seen anything, were interested in the peculations arising out of the funds, so as to lose all power of control over the administrative officers. Spaulding, one of the trustees, was, away back in April, accused here by his clergyman of having said he

would not give the time to the care of the almshouse except that he made money enough out of its supply contracts to pay him for his time.

Now, Spaulding is within twenty-six miles of here, in full health and strength. Why could we not look into his face. I certainly would not call such a rascal as he was sworn to be for a witness. If he is not the plundering rascal that his clergyman said he told him he was, why has he not been here to defend himself ?

Again, Mr. Nourse, another trustee, was the purchasing agent of the Lowell Railroad, and he was the man to make all the purchases of coal as committeeman; and all that coal, although there was a competing road, the Boston & Maine, went over the Lowell road. Perhaps his place as purchasing agent depended upon his doing that service to his road. He never went near the Boston & Maine Railroad all these years — over twenty years — to ask for any competing rates for the coal. Now, then, it is a little matter, but "straws show which way the wind blows"; Mr. Nourse, for sixteen years, upon his own testimony, has been furnished with chickens from the institution. It is a very small matter, and if he had come here before the committee, and, in conscious innocence, said, "Yes, every fall Mr. Marsh sent around a few chickens as a matter of courtesy, and I ate them, and thought I was doing right," nobody would have a right to say one word. I should know nothing to be said to that; that they were the *minimis*, the small matters the law don't look after. But after this investigation was ordered, and before it took place, a month after you were appointed, on the 7th of March, he went to Charles B. Marsh and paid $20 for those chickens that he had been eating during sixteen years, although he knew neither the number nor weight of them. He was under no legal obligation to do it, because it had outlawed; but the transaction shows where the conscience gnawed. He felt that he was guilty, and, while there was no great wrong about it, he tried to fix up the matter so he could show he paid for all he had. He had them; he never paid for them, and never would have paid for them, as you all know, if it had not been for the investigation of this committee. Charles Marsh took a leaf out from Nourse's book. He had been feeding his chickens upon the Commonwealth's meal, and selling the eggs to the almshouse, but he also paid for the meal after this investigation had begun.

The other trustee, Mr. Eliott, was interested in the milk contract, and would not let the contract go to the lowest bidder. He does not appear here, although he is alive and well, or was, at least, the last time I heard of him, and lives within five miles of the almshouse.

Such administration is wrong in principle, and the trustees cul-

pable, as trustees receiving favors can exert no moral force over the officers.

Now, Mr. Eliott has been in and over that institution every month in every year for twenty years. He knows more about it than anybody else. It is in evidence that he has investigated these cases of cruelty and false imprisonment of four insane people. Why is he not here as a witness for the Marshes? Because he could not stand an investigation into his conduct and his contracts.*

There has been a continual suppression of evidence on the other side. We were told by their counsel in the most bellowing enunciation that they were going to turn this institution inside out for our inspection. Yes, but they have only shown us the outside of it.

Such has been the course of administration, — peculation and nepotism to the last degree.

Now, a moment before we go into the administration of Thomas J. Marsh, of whom certain classes of newspapers have been singing pæans of glory; let us find out who and what he is.

Mr. Thomas J. Marsh was a shoemaker in Exeter, in 1827, when I was at school there. He went from there to Lynn, and engaged in the shoe business. He was a very respectable shoemaker, I guess, and he ought to have stuck to the business, — although he failed in it. Next we hear of him as a clerk in a grocery store. He quit that to carry on a little business for himself. He broke down in

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* "Mr. Sanborn gave his opinion of these trustees, in a letter written to Gov-
"ernor Rice, in 1876, as follows: "Much as I might value an appointment from your
"Excellency (such as I first received from our lamented friend Governor Andrew,
"and afterwards from Governors Bullock and Claflin), I could not accept it if
"Messrs. Francis H. Nourse and George P. Eliot should continue to hold office as
"inspectors of the State almshouse at Tewksbury. These persons, by their own
"admission, have been guilty of long-continued neglect of duty and transgression
"of the by-laws of their almshouse, in consequence of which, as I believe, several
"helpless women, doubly unfortunate by reason of poverty and insanity, have
"suffered illegal imprisonment or death.

Third. "That the mortality among the insane women, in a special hospital
"for such patients at Tewksbury, was excessive and shocking during the month of
"May, 1875, and the early part of June; that the responsibility for this mortality
"rests with Miss Helen M. Marsh, then and now assistant-physician at the State
"almshouse, of which her father is superintendent and her brother the assistant-
"superintendent; that this young woman had no such acquaintance with disease
"and insanity, or with the proper treatment thereof, as would qualify her for such
"a responsible position; that there was no epidemic or other unusual cause of
"death at that time; and that, as soon as the hospital in question was put in the
"direct charge of the physician to the sane inmates, Dr. J. D. Nichols, the mortality
"instantly diminished; so that there were fewer deaths in four months following
"the 15th of June, 1875, than in the thirty-five or thirty-six days between May 5
"and June 8, 1875."

that. He got appointed in the post-office, and he quit that. Then he got a place in the custom-house. He quit that. I am speaking by the record. Then he got elected, in the spasm of virtue called know-nothingism, by the Know-Nothing party, as treasurer of the Commonwealth. What a man to pick out for treasurer of this Commonwealth! Heretofore, all our treasurers, to the honor of the Commonwealth be it said, have held their office for the full five years that the Constitution permitted, except where there has been a change of party; but, for some reason, Mr. Marsh was too great a load for the Know-Nothing party even to carry, — and they carried some awful ones, — but he was dropped the first year. He then undertook a small shoe business down at the West End, and failed in that. He then went to Waltham, and failed in business there; but he was lucky enough to be a townsman of Major-General Banks, who had been a Know-Nothing with him, and he appointed him to this institution in place of Mr. Meserve. Up to that time no troubles were heard of in this institution. For the first two or three years after no trouble was heard. It was passably well conducted. Marsh's boys had not grown up. They were in Harvard College, some of them. The almshouse was then economically conducted. It had as many inmates in 1862 as it had last year, and a few more, as the record will show, — a little over 900, — and that institution was carried on that year, so far as everything of running expenses was concerned, for $47,000; $7,000 of that amount was for salaries, and $40,000 or $41,000 only were expended for food and current expenses. Now, you have $93,000 appropriated for the expenses of that institution for the present year; $20,000 for salaries, and $73,000 for expenses; and the counsel tells you — it is not in the record, and I am not responsible for it — that the managers have expended considerably over $40,000 to the first of June, and there are a large number of bills outstanding, so that there is going to be a deficiency if he is right.

Now, let us follow Mr. Marsh a little further. He was a poor man; but there is nothing to be said against him on that account. He had an aged father and mother to support and sustain, and that he did so is to be said to his credit. He had four sons to maintain and four daughters, two of whom were unfortunate in their marriages and came upon him largely to be supported, together with their children. He had $1,200, $1,500, and $1,800 a year, his salaries at different periods. He sent all his sons to school in Exeter, and three of them, as I remember, were educated at Harvard. Exeter is one of the most expensive schools, in our days, in New England, and Harvard's reputation in that regard I need not speak of, and he maintained all his other relatives and his wife's sister beside. If you will tell me how a man can do that on $1,800 a year, at the outside, to say nothing

of $1,200, I will beg Mr. Marsh's pardon, and if you can't, you ought to beg mine. Not only that. He brought the girls down here to take music lessons, while they boarded at the almshouse at the State's expense, and one was sent to the Homœopathic College and so on. Now, that cannot be done on his salary. He has not taken a dollar from the institution, they say. Where did he get the means for this large expenditure? Judge ye!

The first thing I find convenient to deal with is the peculations of the officers. The trustees and their little pickings and stealings I have already spoken of. Charles B. Marsh a little also.

There was as long ago as 1876, a most damaging claim gravely put forward by the Board of State Charities — not by Mr. Sanborn; he was only the secretary who wrote the letter. The Board of State Charities therein officially stated to the Governor — and an investigation was asked — that Mrs. Marsh was stealing the inmates clothing. That has been followed from that day to this. That complaint was never investigated. All that was done was, the trustees asked the old gentleman if his wife did steal, and he said she did not; and that was all! That very grave accusation has been sworn to here by several witnesses under oath, yet the defence did not call as a witness Mrs. Marsh. They put in, however, that Mrs. Leonard thinks she has got all her faculties and is a good housekeeper. If so, she would make a good witness. Why was she not brought here? This is what they call turning this concern inside out. Seven years that charge has been against that old woman, and no man has investigated it; and her husband and her children with the odor of Harvard about them have never called for an investigation. Isn't it wonderful?

Now, then, in the first place, Mr. Barker came here and gave us testimony, and he has been very severely treated. He said he used to see boxes filled, containing blankets and like things, belonging to the institution; and he tells us he saw them one night taken away. Oh! they say. Mr. Barker is not a reliable man? He told his wife about it at the time, and she comes here and swears to it.

The chairman. — You mean Mr. Dudley, Governor.

Governor Butler. — I mean Mr. and Mrs. Barker, and Mr. and Mrs. Dudley, too. Mr. Dudley, who is called "Ananias Dudley" here. I am sorry the counsel is not more familiar with the Scriptures. Let me remind him that Ananias was not struck dead by the Lord for telling what was not true, but for keeping back a part of the truth. I regret the counsel is not better up in the Scriptures. Indeed I could recommend two things to him: a little more Scripture and a little more law.

Mr. Barker said he saw these things, and he told his wife. Who is he? He went away from there with a strong recommendation in

his pocket from them — on his own account, and went down to Salem, and has been at the head of the Salem almshouse ever since, being unanimously re-elected every year, and is there now. Don't you suppose the overseers of the poor there know who he is? Has there been one word brought here against him? Has Mr. Brown's detective, Sargent, found any runt from the Harvard Medical School to swear against his reputation for truth and veracity? None. Now, let us take Mr. Dudley. Who is he? Mr. Dudley and his wife went from Tewksbury to the insane hospital at Danvers upon the recommendation of the Marshes, or the resident physician, I don't care which — the recommendation of Tewksbury, and there he and his wife have remained ever since, and remain now; and if any attempt had been made to discredit Mr. and Mrs. Dudley by anybody or in any manner except by the rough side of a lawyer's tongue, I should have brought everybody from that institution to testify as to what sort of people they are. But my brother has furnished me with a witness in Mrs. Leonard. She says, "I have known Mr. and Mrs. Dudley for ten years. I respect them, and should believe their statements."

This is the acute person we have heard of, the ablest person on the Board of Health, Lunacy and Charity.

Mr. Brown. — What is the date of that?

Governor Butler. — April 19. You will find it in the Daily Advertiser, which you believe in and I don't.

Here are these respectable people of whom nothing can be said — except that they were once at Tewksbury — in any way or form, swearing to the facts that I have told you; and they both swear — Barker and Dudley — that they saw trunk after trunk and box after box go away to Exeter, where the Atwoods (Marsh's daughter and granddaughters) lived, filled in some cases with property that belonged to the institution.

Charles H. Dudley testified as follows [Rec., p. 60]: I saw a woman opening trunks, taking out articles of clothing, female apparel, laying them down in different piles, until I saw three or four trunks opened. Piles were laid down in one place and piles in another; then piles packed into the trunk, and the other piles left outside. I went back with the idea to satisfy myself what was going on. I saw that woman come out, hobble up the steps and go into the centre building. I supposed at the time it was all right.

[Rec., p. 79.]

Q. Who was it?

A. That was Captain Marsh's wife.

Q. The matron?

A. The matron.

Governor Butler. — Who is now a little over 80.

The witness. — I had supposed that that was all right. I had no particular suspicion until a few days after that, or a short time after

that, when I was informed by the housekeeper, who was then a Mrs. Pope, that she had seen the same. I asked her what she supposed was done with the clothing that was removed from those trunks. "Why," she said:

Governor Butler. — He was going to tell, but Mr. Brown interrupted him. "I went and got a screw-driver — I saw the tops of the boxes were put on with screws, quite heavily screwed down — and took the covers, or part of the covers, off the boxes, and I found that they contained different articles of dry goods, such as sheeting, bed-spreads, blankets, soft wool blankets, curtains, pillows, and pieces of silk; also pieces of carpets, either Brussels or imitation of Brussels carpets. This was as near as I found out of what the contents were, and I took out several pieces and satisfied myself what they were.

Then he says he saw a wagon backed up to the door and saw the boxes rolled into it by two men.

Then he says, further, that when he came there and asked Captain Marsh what his duty was as night watchman, he answered that it was "not to see too much." Captain Marsh was accustomed to give that sort of direction, for one of the old Board of Inspectors swore that when first appointed he did not know what his duty was. As he was a new man, he went up and asked Captain Marsh what his duties were, and he said "to come here once a month and get a good dinner and go away," and Captain Marsh has never contradicted that, and he has been upon the stand. Dudley watched the wagon and found that it went to Fay's station, which is the station at which you take the train for Exeter.

"One of the Davis boys came there frequently and stayed a long time. Always carried a trunk home with him, and failed to bring one when he came. It used to be as large a one as they could get." [Rec., p. 71.]

Witness had seen Mrs. Marsh at night time in trunk-room taking away bundles of female apparel.

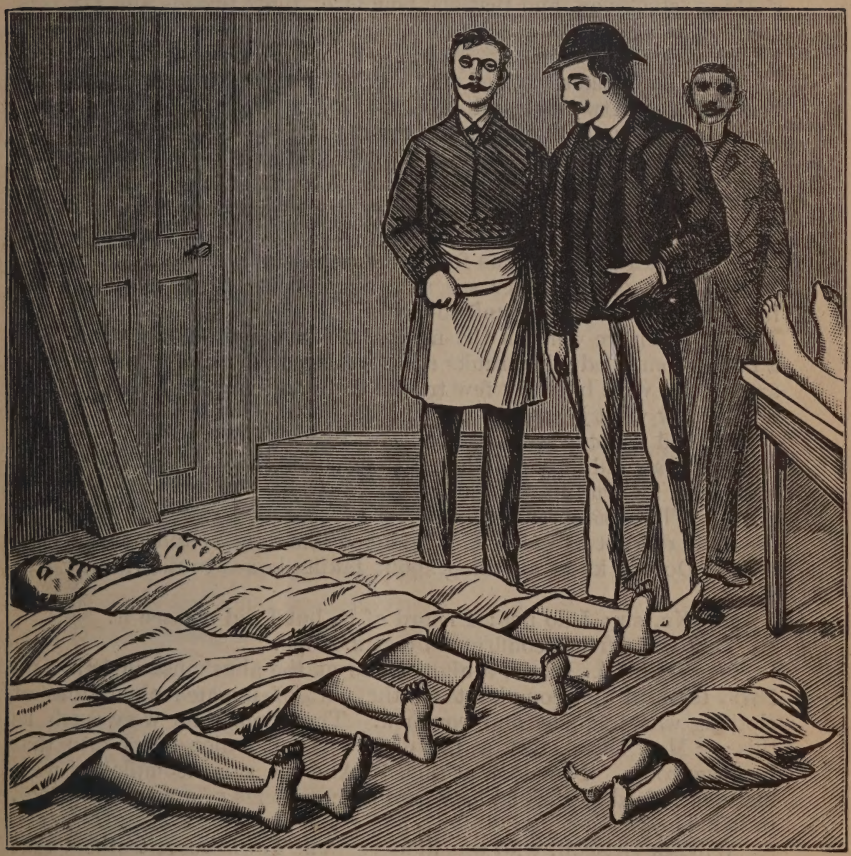
I agree, as matron, she had a right to be everywhere she liked about the premises; but after nine o'clock at night was not a good time for an old woman to be down in the basement looking into trunks. If you think it was, of course you will report that that was a portion of her duty.

Mrs. Pope, the housekeeper, told Dudley she had seen the same thing [Rec., p. 79], and against her not a word has been said, except by Mr. Brown. And when a man calls everybody a liar, he is like the man who said that every man in the town was drunk, for they all seemed to him to stagger.

She testifies that she did sewing for Mrs. Marsh — made over dresses which Mrs. Marsh had from the baggage-room where the inmates' trunks were stored; that the dresses were silk; that she saw one on one of the Davis girls (one of Captain Marsh's grandchildren); saw Mrs. Marsh frequently overhauling trunks of patients, and saw paupers making rugs from the old dresses of the inmates, and that the rugs were not used in the almshouse. [Rec., p. 403.]

Barker reported that the inmates in the insane building were not properly clothed, and had not sufficient clothing. [Rec., p. 449.]

Catharine Moran, a dealer in second-hand clothing, testified that



HARVARD MEDICAL SCHOOL.

GEO. SKINNER testified: Visited the Harvard Medical School by invitation of the janitor; saw the tables full of dead bodies; also saw a dozen or twenty bodies in the dead house; they were piled up like cord-wood on the floor. [See Record, page 3,017.]

she bought of the Marshes large quantities of dresses and underclothing, and a poor musician's fiddle. [Rec., pp. 996, 7.] Also that she bought of the Atwoods in Exeter, dresses, shawls, cloaks, underclothing, stockings, and that she bought of the Atwoods and Davises clothing as often as a dozen times, and that they were good dresses. [Rec., p. 1001.]

Mary E. Walker testified that she had bought of the Marshes, the Davises, the Atwoods, and Mrs. Dr. Putney, quantities of second-hand dresses, underclothing, and the like. [Rec., pp. 110–15.]

Mrs. Dr. Putney was one of Captain Marsh's grandchildren, and after she got married and moved down to Reading, they had a rendezvous down there, and witness bought all the clothing there that she could carry away.

Mrs. Dudley testified as follows upon this point: —

Q. Now, did you ever see any thing about taking clothes away from the trunks or the trunk-room?

A. When we were on the night-watch we noticed that there was a large room filled with trunks and clothing on hooks; when we went away there were but very few trunks there and very little clothing; I don't know what became of it.

Q. Did you ever see anybody carrying it away?

A. I saw old lady Marsh one time coming up out of the trunk-room with an armful of clothing.

Q. What was it?

A. I did not examine it. It looked like dresses and shawls.

Q. Do you know anything about taking boxes to the railway station?

A. No, sir; I do not; I heard of it, but I did not see it.

That was further confirmed by Mrs. Pope.

Mrs. Mina A. Davis, a night nurse at the almshouse in 1878 and 1879, testified that complaint on the part of inmates about loss of clothing was frequent and common. The complaints were such as this: "Mrs. Davis, look at this dress! I put a nice dress into that baggage-room. Now look at this." And the same complaints were made in regard to shawls, hats, and other articles of apparel. [Rec., p. 272.]

William Driscoll, who was nine years at Tewksbury, testified that he saw Hugh McDermott and other inmates peddling stockings, shoes, pants, and underclothing which were said to have been furnished them by French Joe, who was to divide profits. This was in 1881. [Rec., p. 253.]

Agnes Calder testified that there was a general complaint of inmates about the loss of dresses and other clothing from their trunks, and that frequently the clothing of the inmates admitted to the institution would be gone. [Rec., p. 283.]

Now, a word about Miss Calder right here. She gave as her reference, yesterday, that she had been for seventeen years a member of the Tremont Temple Church, and an attendant upon its Sabbath school; and anybody might go there and inquire concerning her. She gave that same reference nearly four months ago, and Moses Sargent even could not find out anything against her — and what he can't nose out is not worth attempting to find out.

Now, Joseph Palmer, the man who says he checked the baggage, or had the baggage checked, testified as follows: —

Q. And when they came they would give you the check, and you would go and get the baggage?

A. Yes, sir.

Q. This coming and going was always to and from Tewksbury substantially?

A. Yes, sir. I believe I didn't check any baggage anywhere else.

Now, he testifies, to make a long story short, that this happened every week. They went away from Exeter empty and they came back with heavy trunks. They got the depositions of two men who had quarrelled with Palmer to swear they wouldn't believe him under oath, but I thought it was not worth while to trouble the committee with any witnesses to rebut their testimony, especially as the Legislature were kind enough to limit my time so that I couldn't get all my witnesses by some fifteen before the committee.

Are all these witnesses to be whistled down the wind, when they don't bring a single Marsh here to say it isn't so? Add to this the fact that when Mrs. Putney, one of the grandchildren, got married and went down to Reading to live, they sent her a box weighing 400 pounds (as shown by the freight book of the railroad), which they labelled "baby crib." They must have supposed she would have a very large baby. I call these facts specially to your attention that you may not try to get over this testimony by sliding over it.

I come to something more important. I desire to call your attention to the manner of keeping the accounts of this State institution. The books that were produced here were the most beautiful looking books I ever saw in my life. They were all as clean as that (exhibiting book). Books that Charles B. Marsh swears had been used for years for day-books, journals, and ledgers, without a blotch, blot, or erasure, and there is not one to be found in them anywhere. These were copies. But when you come to the cash-book, where the inmates' cash was kept, Charles Marsh swears that his method of keeping that book was by erasures. That is, when the inmate came in and had so much money, that amount was put down to his credit; and when the same man had some more sent to him by his friends, Charles scratched out the first amount, added the two together, and put down the sum where he had erased the original amount. And if he let the pauper have any money, he deducted that amount from that standing to his credit, erased the first entry, and then put the balance down over that erasure. Now, gentlemen, have I misstated this one hair? That was his sworn method of keeping that account. Occasionally he did it in another way.

I have heard of keeping books by double entry, but never by erasures, for that is triple entry.

Now, do you wonder why I could not get all these books at first?

RESURRECTING DEAD BODIES.

JOHN HENRY CHASE testified: "I saw dead bodies taken from the grave-yard in the day-time, after they had been buried; don't know who took them; they were taken away in a team driven by a negro." See Record, page 28. "At one time buried a coffin with a block of wood in it, the body having been removed."

My expert testified that he never saw such a clean set of books, and I am sure I never did. If they wanted to fix up their books in this way, that convenient delay of the committee, from the 7th of February to the last of March, would have given them just the time in which to do it. Do not mistake me! I don't say the committee knew anything about it. But they got word of the investigation at Tewksbury, so they began to put in order all the accounts. Nourse paid up, Charles B. Marsh paid up, and the old man got the pig money ready (laughter) to be paid back, while you were waiting. You were waiting for good reasons, and they were occupying the time very industriously in preparing their books for you.

Now, then, here is the inmates' cash-book, which we never got until after four times asking, and after Charles had sworn he had brought you all the books, and it is all covered with erasures. It is not clean, as you see, like the others. Charles Marsh swore he had given us all the books, once, twice, thrice. I kept after it. "Where is that inmates' cash-book?" He says, "That is a little memorandum book." I said, "Bring it!" At last I got it, and he had no time to fix it. That looks like a book that has been used. Compare this book with the other books of this State institution. These are the books the Commonwealth's accounts are kept in. This is the book I got at last (holding up the inmates' cash-book), in which the poor paupers' accounts are kept.

I will now give you a history of the call. I called on Charles B. Marsh for all the books that he kept. Certain books were brought in, and he came upon the stand here and swore that he had cleaned out his safe that morning of everything. [Rec., p. 210.]

This was the third call for books, and Mr. Brown, the counsel for the Marshes, said:—

"Now, upon the third call, we have produced everything that we have at the institution."

This will be found on the 211th page of the record, and there are 2000 of them.

The Chairman. — Three thousand pages.

Governor Butler. — Yes, sir, I always understate my case. (Applause.)

Then when Charles Marsh was on the stand he testified as follows: [Rec., p. 380.]

Q. Have you delivered all books at my office that you have kept there?

A. I have.

He testified later, in answer to a question as to whether there is any account of what the inmates bring there, as follows: [Rec., p. 384.]

That is put on a little book, a memorandum-book.

Q. Is that book sent to my office?

A. I don't think it is.

I then made a fourth call for the books, and asked for "all the books of every description kept by anybody, man, woman, or child, in Tewksbury." [Rec., p. 397.]

In answer to this call, the inmates' cash-book was produced.

Charles Marsh, still later, being recalled, testified as follows [Rec., p. 821]: "I have a book; perhaps I should state that it is kept in a drawer, which I will send to you if you want it, where I have taken off the expenditures for each month; it is no part of the books of the institution, but I have done it for my own convenience; I have taken off each item for a number of years, say from 1868 or 1869, I think."

And on page 866 he testified as follows: —

I have not kept any book but what I have sent you.

Q. Except the one that is in the drawer?

A. That I consider my own private property. I did not understand that you wanted it.

Q. I ask you again, as I have asked you before, are there any more books, in or about the institution at Tewksbury, or anywhere else to your knowledge, on which any account is kept relative to the business of the institution, in any way or form? I mean to be as broad as language can make it.

A. I don't know. I think there are books made there by the appraiser when he appraises the property. [Rec., p. 867.]

These books were finally produced; but being certain that there were still others which were being kept back, I again called for all the books where any account has been kept about anything there at Tewksbury. [Rec., p. 1016.] This demand being made, the chairman again called Charles Marsh, who testified as follows [Rec., p. 1017]: "I don't know of any account-book in the institution to-day; everything that I know of in the shape of an account has been turned over to the committee."

And the committee over and over again ordered that all the books should be produced. And yet, within the last few days of this investigation, there was testimony produced here in regard to books containing the account of the cut-up dead, the most important of all matters.

Steal, if you please, Marshes; steal the poor inmates' cash, and keep no account, or an erased account if you will, but in Heaven's name don't steal their bodies and suppress the account! (Applause.)

Nourse swore; Thomas J. Marsh admitted he had the books, and then walked up to this table, and looked you in the face, and told

you he would not give them to you. And this is the institution you are to sustain.

I could not have believed it until this morning, after I read the vote of the Legislature, — which I should not have dared to mention if Mr. Brown had not dragged it in, — that fifty-six men absolutely voted that there was no power in the Legislature of Massachusetts to get the books in which the accounts of the State of Massachusetts are kept unless they paid $1.50 witness fees and had the witness subpœnaed. And this is the condition of the case. The Legislature has ordered an investigation into this institution, and one of the under officers actually tells you, do what you may, you shall not have the books, and books showing what has been done with the Commonwealth's dead for twenty-five years, as they must, if properly kept,* and these accounts of disposition of the State's dead is what I want to see. I dare you, gentlemen, to whitewash such transactions! You will reckon with the people for that, if it is done, and the man who puts his name to it in my judgment, might as well sign his own death warrant, for anything that the people of Massachusetts will do for him hereafter.

A solemn investigation has been ordered. Your committee has ordered every book in the institution to be given up. These officers of the institution are here before you to defend themselves. They have employed counsel, and they are here consulting him. They are right here in the room with the books of account of the dead in their pocket, the account of those who have been sold for money that they may be cut up, after the service of God over their remains has been said by the holy priest; and yet that man comes here and says "I won't give that account up." You, feeling that the dignity of the Commonwealth has been confided to your charge, — a majority of you, — feeling that the honor of the Commonwealth is in your hands, that you should not be played with, ordered those books to be brought before you as evidence, and when he steps forward and refuses to give it up, after waiting three days until the Legislature could be sufficiently lobbied, you made a report of that transaction to the House, and we got judgment that the Legislature could not or would not order the books to be produced, and the men who decided that those books should not be produced, ought and will regret it as long as they live. On what ground was it put? On the ground that Marsh had not been subpœnaed! What did they want to subpœna a man for when he was here?

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[1] It was admitted that no books or memoranda whatever had been kept of the bodies sent away for dissection for the first 18 years of the institution's existence.

Rats gnawing the face of a deceased inmate. See testimony of Mrs. MINA DAVIS, a nurse. Record, page 238 to 242.

I appeal to you, sir, as a lawyer; suppose a man is in court and he is called upon the stand to give testimony. Must you give him a subpœna before he can be compelled to testify? Never; never! Suppose a man is before a court as a party with a book that is wanted in evidence in his pocket; cannot the court commit him for contempt without sending out a subpœna to bring him in when he is there, if he refuses to produce it.

Out upon such nonsense! There may be a reason, and a constitutional reason, why Thomas J. Marsh should not give up those books. If he said they would criminate himself, that they would show him guilty of crime, then he could not be compelled to produce them; but he, and he alone, must put the refusal on that ground, and on that ground only. But he did not do it at all. Nobody can take that ground for him. But one of the committee* was kind enough to supply him in the report with that defence with which he did not supply himself. I therefore take it that the committee knew that producing the books would criminate him, and I have no doubt it would.

There has been a great deal said — I now refer to public history — about what the "old man" said he could do to reform the State if he could only see the books. The "old man" has not promised anything if he could not see the books.

I am absolved from all promises, as the Legislature refuse to let me see the books. All these books should come here under the order of the committee and the officer of the State, who is bound to come here upon the order of the committee without a summons, should bring them; he is here by his counsel, here himself. He is here enough to have his counsel to argue his case, yet he is not here enough for you to enforce your order upon him after hearing argument in his behalf. And immediately after his counsel has ceased arguing, having refused to produce the books, he offers himself as a witness, and you swear him. Why didn't you ask him if he had been subpœnaed?

There never was such nonsense committed by mortal man before. So we have not all or the more important books. We get the forged books, and what they could not forge they suppress.

Now as to this inmates' cash-book. I want to call your attention to what exactly this is. It is the only book of account for 30,000 men and women who go into the institution and have the money which is in their pockets, or their coat, dress, and other property taken away from them, in which any record is made.

This property and money the Marshes have no more right to take

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* Mr. Walcott, of Boston.

away from them than they have to sell the bodies of the dead. I know of no law by which it can be done. If anybody else does I should be glad to have him point it out. All the money, the jewelry, the watches, and everything else is taken away from them. Why shouldn't a poor man in the almshouse, where the days and months are lagging, have the privilege of seeing how the time is passing? Why should his watch be taken? In order that it may be stolen — and this book contains the whole account of their watches, jewelry, and money. I can't go through it, for I have not time. I shew by my expert as many erasures as I could, but there were only fifty-four of them. I was exceedingly puzzled why there were not more; why I could not find more erasures? I knew there were more, and I peered at them with microscope and glass; but I could see no more. I said to myself, I know they are there. The evidence shows that money was taken which does not appear on the books. A thought passed through my mind, I sent for a chemist and asked him: "Can ink be taken out by a chemical agent, oxalic, or some other acid, so as to leave no trace of the figures?" "Yes, sir." "And can you restore the original figures with a re-agent, like gallic acid?" "Yes, sir." I said, "Here are three places in this book where the testimony shows more money received than was paid over. Won't you try your hand on them?" I had no time to search for others, and put him on the three cases, and the application of gallic acid brought out the figures in each case.

One was where the cash-books showed five dollars to be paid over to the Commonwealth, where the amount had been fifteen, and the figure 1 had been taken out, and the application of the chemical re-agent restored it.

In another case, where acid had been applied to erase a figure, and another figure had been written over it, the application of the re-agent brought out the original figure.

The third case was where it was in testimony that a woman, Ellen Allen, took to Tewksbury with her $156. And what was remarkable was that the boy, her nephew, testified to the 6, as you will remember. The entry in her case appears at the bottom of the first page of this book, and the amount standing to her credit at the time of her death, which was afterwards carried into the State treasury, was one dollar. It appears that some figure had been erased before the 1, and the application of the chemical re-agent in this case made the 1 a 6, showing that the 6 had been altered into a 1; but the figures had been scratched with a knife so scratching off of the paper the ink as to leave nothing for the chemical to act upon, so that the other figures erased could not be reproduced. There never was so great a confirmation of testimony since this world began.

Miss Allen's nephew testified that she took with her "two gold rings, a pair of gold ear-rings, a gold pin, and some gold studs. She had a black cashmere double shawl, two dresses, which were nice dresses. She had lots of other clothes besides, and had nice under-clothes."

But when her brother went up to Tewksbury after these things, he was told that there was nothing there. There was no record of them, and no record of the money, — over $150, only $1 paid to the State at her death. We find the figures scratched out and taken out by acid in the account, which is a mode of account-keeping by double entry at Tewksbury.

Here, in the first case mentioned (showing the book to the committee) you can see the figure 1 which has been brought out. It won't last long, but it can be brought out again by another application of the chemical re-agent. Now, I do not care what the rest of the other entries seem to be. The chemist says that three out of these entries — the only ones upon which he made any experiment — have been taken out by the use of acid. If they had produced this book in the beginning when called for, and I had had wit enough to think how the fraud was done, I should have had them all tried by the application of chemicals to ascertain to what extent acid had been used for the purpose of falsifying these accounts of the moneys of these poor people. But the Marshes kept it back. If they will steal chickens and old dresses, and if they will steal the poor inmates' money, what will they do with the money of the Commonwealth? They have disbursed over $2,000,000 in this institution? And these are the accounts. The account is kept here exactly like the account in the auditor's office, as of course it would be, as they are kept and the duplicate sent down there.

Now, here is another matter: You will find, year by year, $500 worth of tobacco purchased. French Joe swears he sold no tobacco to the inmates, and was not allowed to. What was the tobacco there for? Old Mr. Marsh swears that his farmer, Mr. Poor, had been in the habit of selling calves and buying tobacco outside for the men, and that he made no account of it; and still Charles B. Marsh says he charged large sums on the cash-book against these inmates for tobacco. Then it was the tobacco of the State, and there is not a single credit given the State for the proceeds of tobacco sold.

But these are by far the least important matters. They have been going on there for a quarter of a century, and have never kept an account of any article. They have not kept any account of the coming in of supplies, and when they issued them in quantities, larger or smaller, to the cooks and everybody else, clothing and everything else, there was no account kept of such issue; and the

man they have had in charge of that business for years, French Joe, was a drunkard, a libertine, and a liar; as he admits under oath, he used to come down to Boston every now and then with Mary Tynam, — a prostitute kept at Tewksbury, — and spend a week at a time at a bad house. And then he would come back, and afterwards she would come back, and he would go to dealing out the Commonwealth's clothing, and all the stores, as if nothing had happened. And no account would be kept.

I come now to a matter of much more importance. That is the cruel and abusive treatment of the living.

This was also a home for the reception of infants, and Mrs. Dudley gives an account of how they were treated. She was there and saw these infants; and, first of all, let me say that seventy-one out of seventy-two sent there died. Why, she tells us "she found the nurse sleeping, and fires out in the foundling department; saw there a half-pint bottle of morphia that the night nurse said she gave to the foundlings to quiet them." [Rec., p. 216.] "I often found the infants' milk-bottles sour; reported this to Captain Marsh. [Rec., p. 217.] "An insane woman, at one time helping care for infants, once saw an infant with a pillow over its head — it looked suffocated; insane woman said she did it, and swore about it; Mrs. Burbank said she reported it to Captain Marsh; the child was dead when I found it."

And yet the nurse remained there. Simple murder, gentlemen; what they hang people for in civilized communities.

Charles L. Dudley said to the nurse one night, "Your babies are getting along nicely." She said she had found a way to keep them quiet; she got a bottle, shook it, and said, "This is the stuff." The mixture was morphia. [Rec., p. 96.] There were seventy-three infants that I kept run of; only one survived at the end of the year. [Rec., p. 97.]*

Miss Agnes Calder said: "I had charge of the infants; had fifteen or sixteen at a time; when they died, got some more; perhaps they would all die in a week or two; they could not retain the milk on their stomachs; had charge of babies before."

Mark Heathcote said: "I took a foundling up to Tewksbury; was kept waiting in office forty-five minutes; saw a woman have this baby, and she filled its mouth full of soap; I was near and saw this done."

Deacon John Carver (and I cannot go into this gentleman's case, gentlemen, without a nauseating feeling of perfect disgust at his treatment by the Marsh's counsel). He was an old man, the father of a family, a deacon, not in a fashionable church, but in a church where

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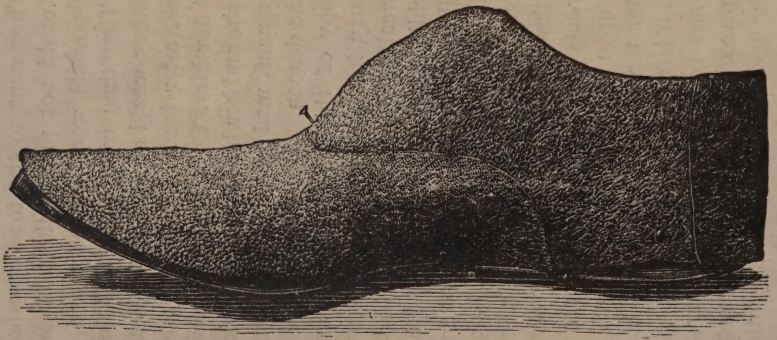
*The official register shows Dudley to be truthful in this. He is confirmed by another witness.



White Slipper, made from the skin of a woman's breast, near the nipple. Now on exhibition in a Washington Street Store. [Photo. by ———]

they believe there is a devil to punish sins. (Laughter.) Now, somebody, knowing the kind disposition of the old deacon, left on his door-step, one bitter cold night, enveloped in a rich and valuable shawl, a well-dressed child, and the deacon took it in. He tried to get some of his neighbors to adopt it, as his wife had some of her own; but none would do so. After keeping the child for a time, he and his wife came to the conclusion that it would have to go to the poor-house. They went to the town almshouse, but were informed that the child could not remain there because it did not belong in the town; its parents were unknown, and, therefore, it became a State charge. They then came to the conclusion, after deliberating some time, that they would carry it up to Tewksbury, and they did. They went home, after leaving the child there wrapped up in a valuable shawl. After Mrs. Carver had left, her heart misgave her, and in two days she and her husband went back after the child. The counsel, in his argument, made the vulgar insinuation that the child was the child of the deacon. Without a word of evidence, the kindness and philanthropy of this Christian man and woman are repaid by the Marsh party instructing their lawyer to insinuate to you and the Commonwealth that Deacon Carver had been guilty of adultery, and that the child left on the doorsteps of his house that cold night was his own illegitimate offspring. I never have been, in the course of an experience of forty years at the bar, so shocked as I was at this insinuation. If there had been a scintilla of evidence, if anybody had said that the old deacon stayed out nights, except when he went to prayer-meeting, if there had been anything brought out in the evidence upon which to base any such statement, I would not say a word. But the old gentleman and his wife, fearing that the child would die if left at Tewksbury, from what they saw there, went back after it, and so a vulgar laugh was raised by counsel among the friends of the Marshes (you could not have got it anywhere else) against the good deacon. Well, gentlemen of the committee, Mrs. Carver told her own story. She took the child back and it lived, although it had lost six pounds while it was gone, which was only two or three days. When Mrs. Carver went with her husband to get the child it was cold weather, and she asked for the shawl, which was a valuable one, in which the child was wrapped when she brought it there — but two days before. She could not get the shawl; the Marshes had stolen it; and, as she could not find any place to buy one to wrap the baby in on her return, Captain Marsh took a light shawl from another child that had just come in from Westford, and gave it to Mrs. Carver to wrap her baby in. Her shawl was sold down at Exeter, doubtless, with the rest of the inmates' clothing; at all events, it was lost to Mrs. Carver. Now, Mrs. Carver swears to

that, and this child was not her child, and there is nothing against her character at any rate. Why not believe her?

Upon this treatment of children let me refer to another thing. The defence brought a woman here (you saw her) to swear that all the children that went to Tewksbury from the Chardon Street Home were dying — substantially. We then got the records from that home, and they shew what? She had sworn that out of the seventy-one infants sent from that home in a given time to Tewksbury, they were all diseased. Now, the records show this: "Diseased, 1; not stated, 1; good, 5; fair, 35; feeble, 27"; and yet they all died. I say now what I have said before, that it would have been a mercy to these poor creatures to have had somebody pinch their heads before they were sent to this infant slaughter-house to die a lingering death of starvation and slow poison by morphia.

Now, let us see what can be done within eight miles of Tewksbury. We had a man here, Colonel Pindar, who has charge of the almshouse at Lowell, attached to which is a foundling asylum. All kinds of people are sent there, and it is just such an institution as the one at Tewksbury. Let us see what was the death rate there last year.

Albert Pindar, superintendent of the Lowell almshouse, testified in answers to questions from Governor Butler: "In the nursery I have an average of from forty to forty-five."

Q. How old does the nursery include?

A. All the way from a birth to nine or ten years.

Q. How many children have you in the reform school?

A. I think I have twenty-six sentenced, besides about as many more pauper children.

Q. Twenty-six convicts — that is, sentenced there by the courts, sentenced there by the Police Court?

A. Yes, sir.

Q. And about the same number of what?

A. About the same number of pauper children; they all attend the same school.

Q. How many children under the age of nine, in the nursery, did you lose last year?

A. I don't think I lost a child last year, if my memory serves me right; I have lost one or two this year.

Forty of them, and not a death, and this almshouse is only eight miles from Tewksbury, gentlemen of the committee, and yet at Tewksbury they lost seventy-one out of seventy-two. Is it because they feed them any better at Lowell? No. Colonel Pindar says it don't cost but one dollar and seven cents a week for each individual, to carry on the almshouse, while at Tewksbury it costs two dollars and nine cents a week for each individual, and they have a school at Lowell besides, which is not the case at Tewksbury.

Now, then, as all the foundlings that went to Tewksbury died, and as that has been going on from 1854 down to 1878, almost a quarter of a century, what were these children sent there for but to die? Why, then, would it not have been better to have let them die where they were and have saved the State the expense of an officer and a nurse to take them up there, except that some of the active politicians of a given party must live and have the means of living out of the State?

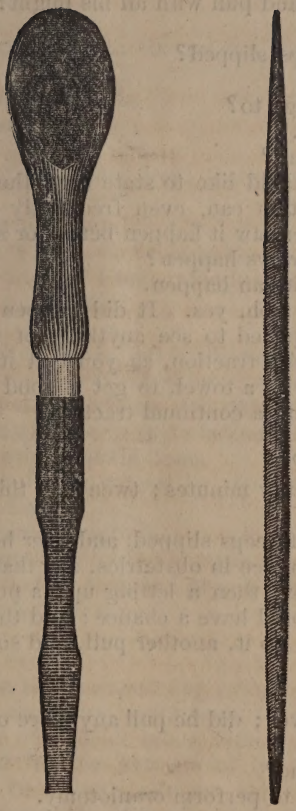
Now, then, let us see how they delivered children at this excellently-managed institution — and here I refer to a man whom Mr. Brown said in his argument disappointed me as a witness. Well, he did. Mr. Brown was right there. He was a graduate of Harvard who was called to tell something against a member of the Massachusetts Medical Society. It was not to be supposed that he would do it, but when he got on the stand he did, and disappointed me. (Applause.) A woman was in labor and she had been in labor for some hours, and the witness, then only a student, was watching the case. During the progress of the labor, the resident physician, Dr. Lathrop, was sent for and told that the labor was a protracted one. He made no examination of the woman, but determined to apply instruments — she was a pauper. The result will be seen by the following testimony, given by Dr. West: —

Q. What was done then?
A. The forceps were applied.
Q. That is, that was the first thing done by him at any rate?
A. Yes, sir.
Q. The forceps were applied, and how were the forceps applied?
A. The forceps were applied to the head.
Q. Was any considerable degree of force used with the forceps?
A. Yes, sir.

Q. Won't you describe now, without any asking questions, doctor; you don't seem to be more than ordinarily communicative, if you will pardon me; won't you describe exactly what was done with the forceps, and how the force was applied; state the condition of the woman, the position of the woman; state the position of the doctor with his forceps on this child, and state it all.

A. The woman was lying crosswise of the bed, feet out on a chair, and there were two nurses present. They managed the ether and kept the right side of the bed, and Dr. Lathrop and I were on the left side of the bed. The forceps were put on, tied with a towel, and traction was commenced.

Q. That is, the forceps were brought together, wrapped with a towel?
A. Yes, sir.
Q. So as to get a good hold?
A. Yes, sir.
Q. Very good; then what was done?
A. Then he made traction.



SURGICAL INSTRUMENTS.

The only Surgical Instruments in Tewksbury with which Dr. Lathrop tried to break up the sku'l of an infant in a case of difficult labor. [See Record, pages 608 to 622.]

Q. Made traction?

A. Pulled.

Q. How did he pull?

A. He pulled gently at first, and then sat down on the floor and braced up against the bed and the woman.

Q. Now, doctor, wasn't this it — didn't he put his feet against the woman and sit down and pull with all his might?

A. Yes, sir.

Q. And his forceps slipped?

A. Yes, sir.

Q. Where did he go to?

A. Over the floor.

Q. Heels over head?

A. Yes, sir; I should like to state here, though, Governor, that, as I understand it, this can, even frequently does, happen in an ordinary case; I never saw it happen before or since.

Q. But does it always happen?

A. I understand it can happen.

Q. It can happen; oh, yes. It did happen; that is evidence it can. You never happened to see anything of that sort happen before or since. Was this traction, as you call it, this pulling, braced against the woman, with a towel, to get a good hold of the forceps, braced back — was that a continual traction?

A. Yes, sir.

Q. For how long?

A. Fifteen or twenty minutes; twenty to thirty minutes my notes say.

Q. And then the forceps slipped, and over he went? Now, then, isn't it the rule of practice in obstetrics, sir, that there is to be first a pull to help along, and then a letting up; a pull, and then a letting up, so that nature should have a chance; and then, if the contraction of the muscles don't do it, another pull, and so on. Isn't that right practice?

A. Yes, sir.

Q. He tumbled over; did he pull any more on the forceps?

A. Yes, sir.

Q. What was done?

A. He attempted to perform craniotomy.

Q. Now, I have had a good many malpractice cases in my life, and I know the meaning of these terms; craniotomy means, does it, to break up the skull and to wash out the brain, and then collapse the skull and try to get the head out that way?

A. Yes, sir.

Q. Did you advise that?

A. I was there as a student, and, of course, had nothing to do with it, excepting to obey orders.

Q. Did he go for his tools to do that with?

A. Yes, sir.

Q. Went down to the dispensary or off somewhere?

A. Yes, sir.

Q. Did he come back bringing his tools?

A. Yes, sir.

Q. What were those tools?

A. There were not any tools proper to do it with.

Q. I know there were not any tools proper to do it with; what did he bring? Let us have it, doctor.

A. Well, it was a screw-driver and a rat-tail file that he brought up.

Q. Did you ever see these used before or since for such a purpose?

A. No, sir.

Q. Which did he put in first; the rat-tail file? Had the rat-tail a handle on it?

A. I don't seem to remember.

Q. Don't remember?

A. No, sir.

Q. Which did he put in there first; the rat-tail file or the screw-driver?

A. Well, I am sure I could not tell you, Governor, it was so long ago; at any rate, I know he brought them up and used them.

Q. Now, then, he tried, if I understand it, to punch a hole in the child's skull with that rat-tail file?

A. Yes, sir.

Q. The skull is a little hard; did it slip and injure the woman?

A. I don't hardly see how it could have avoided it.

Q. Nor I either; I want to know if it didn't.

A. It would be impossible to say whether it did or didn't; there was considerable hemorrhage at the time.

Q. And whether that was caused by the rat-tail file or natural hemorrhage, you don't know?

A. No, sir; the woman ruptured; possibly it might have come from that. She was ruptured by the instruments.

Then I asked him whether they had proper instruments to perform such an operation, and he said "no."

Q. When was this?

A. 1878.

Now, this institution has been running twenty-nine years, and was not provided with the necessary instruments to perform such a common operation in cases of difficult labor, although this was the place where women were sent for the purpose of lying-in. But the next day, upon this young Dr. West's request, they bought the required instruments, but discharged Dr. West for making the complaint.

Now, my brother Brown said Dr. Lathrop saved the woman's life. Pardon me; let us put it the other way: he killed the baby, and he simply did not kill the mother! (Applause.) I once heard of just such a skilfully conducted case, where a young doctor attended his first case, very similar to this one, and upon his return he told an old physician what he had done. "Did you save the child?" said the old doctor. "No," was the reply. "That is bad," said the elder. "Did you save the mother?" "No," answered the young physician. "That is pretty bad," was the reply. "What did you do?" "I saved the old man." (Laughter.) This case the doctor whom we had on the stand swore was a gross case of malpractice. He reported it to Captain Marsh, and he was turned off by the trustees at the very next meeting, although he was giving his services without any salary, and a woman hired to take his place at a salary.

Now let us go to some more testimony of the negligence and cruelty of these people: —

Joseph Beebe, in 1881, saw a patient rubbed with anguintum; he remonstrated, saying the patient would die if he should take cold. The attendant replied, "Let him die." [Rec., p. 925.]

Dr. Lathrop would seldom attend patients; would put them off when his services were sought. A man choked to death at the table, but no relief was administered.

Dr. Kenney ordered a boy with whooping-cough to take a sweat; the directions were followed, and the undertaker took the boy in a few hours. [Rec., p. 528.]

Abbie E. Wheeler was in Tewksbury in 1881, and saw Mrs. Durning, a nurse, jump on a sick patient with her knees, because patient could not take her medicine.

Mrs. McCleary, another nurse, strangled a patient while crying for food; patient was in the dead-house the next week.

Mrs. Marsh, the matron, and attendants, neglected to visit the patients.

Now, what did Mr. Dudley say? He says: "When I went to the almshouse I found an inmate confined in a cell; no attention was paid to my repeated requests for medical assistance, and the inmate was found dead in the cell." [Rec., p. 76.]

"Little children cried from hunger." [Rec., p. 84.]

"Complaint was made to Captain Marsh." [Rec., p. 85.]

"Female insane were mostly without underclothes, shoes, and stockings, and were nearly naked." [Rec., p. 90.]

"A female inmate was found naked in a cell where she had been confined a year." [Rec., p. 90.]

She was practically a skeleton, and was attended by an idiotic attendant, who would deposit her food in a water-closet. She was rescued and has fully recovered. [Rec., p. 91.]

Now, I agree that they brought one or two people to swear against these statements of Mr. and Mrs. Dudley, but I am willing to take Mrs. Leonard's opinion of the Dudley's, and she says: "I have known Mr. and Mrs. Dudley for 10 years; I would believe the statement of the Dudleys."*

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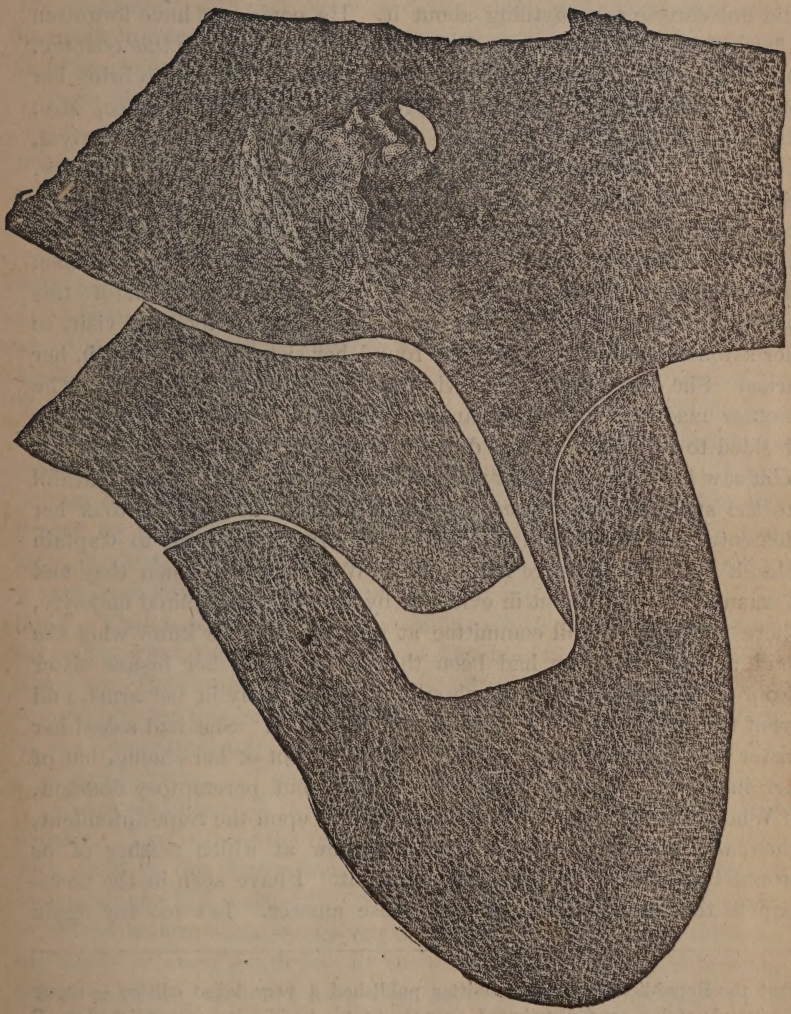
* Who is Mrs. Leonard? A very intelligent lady of Springfield, wife of a very prominent railroad president there, who was appointed on the Board of State Charities by Governor Long in 1880. She has been long engaged in philanthropic work. Before this investigation she had never been in the Tewksbury almshouse but once after she made this statement in favor of the Dudleys in April last. After the Governor ordered the Board of State Charities to take charge of the almshouse, she was sent up by the Board to Tewksbury to examine the institution and make a report. She being the only woman on the Board, her political prospects would not be hurt if the report was a whitewashing one. The Chairman, Mr. Talbot, who lived within five miles, and who had signed Superintendent Marsh's official bond, did not go himself. Of course, the investigation then going on, the institution was put in apple-pie order for Mrs. Leonard's inspection. Mrs. Leonard's report was so satisfactorily in favor of the Marshes



Piece of Skin cut from the breast of a woman, showing the nipple, and illustrating the manner in which it was cut into shape for sole leather. [See Records, page 437 to 1042.]

I come to another, and the gravest of all the offences against these poor insane wards of the State, the treatment of Charlotte Anderson, which is so horrible and revolting that my brother Brown did not dare to say anything about it. He could not have forgotten Charlotte Anderson, a young Swedish girl. She came to this country, and after hard work succeeded in saving enough money to bring her young and beloved sister over here, the lady of intelligence, Mrs. Hanson, whom you saw on the stand. After the sister's arrival, Charlotte was taken with melancholia, a species of quiet insanity. She was first sent to Taunton Insane Asylum and thence to Tewksbury. After she had been there a year and a half this distressed and abused insane girl was found to be with child. Her sister had been in the habit of visiting her once in three months, but just before this sad birth was told not to come too often; but on the next visit, to her astonishment and horror, she found her sister with a baby in her arms. She demanded of her who was the father of the child. The mother made an intelligent answer, but that answer the committee decided to rule out. What did the horror-stricken woman then do? You saw her, an intelligent young woman, and as honest and truthful as the sun. Exactly what she ought to have done. She took her demented sister, with the child in her arms, and went to Captain Marsh's office, and there found him. What was said when they met I was not allowed to put in evidence by vote of the nominal majority, there not being a full committee at the time, but we know what she said as well as if we had been there. She took her insane sister from the hospital of the almshouse, with her baby in her arms, and went to Captain Marsh's office to find out what? She had asked her sister who was the father of it. The child, not of her shame, but of her insanity. We can hear her sobbing, but peremptory demand, "Who is the father of this child?" Here, upon the Superintendent, then, was a solemn occasion, an interview at which neither of us would have wished to have been present. I have seen in the newspapers that Mr. Marsh made a jocose answer. Let me say again

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that the Republican State Committee published a very large edition, — many thousands of it, — and distributed over the State; besides it was published in all the leading Republican papers, even while the same matter was under investigation by a Republican Legislature. Thus, the exculpation of the Marshes was made a party question, and the Legislature whitewashed the Marshes by a strict *party vote*, save that six Republicans had the honest manliness to vote with the minority. Mrs. Leonard was not called as a witness. Why not? A cross-examination might have damaged the report. It was a better party trick that the report should go out as an unsworn *ex parte* statement. The testimony of Mrs. Leonard in favor of Mr. and Mrs. Dudley, given before she was employed to bolster up the Marshes, is most valuable and convincing.

that this was a solemn occasion. Here was a grief-stricken woman who had found her virtuous insane sister with child, gotten in an insane asylum under the care of the State. She went to the head of the institution with her sister and her child, and put a sorrowful question to Capt. Marsh. The committee would not even let me put in evidence even what she said, but whatever passed between them, Captain Marsh, adjured there to tell the truth, laid his hand upon the insane mother's shoulder and said: "We know how to make babies here, don't we, Charlotte?" Was this a time for joking? I care not which way you take it. I have attempted to put in what the insane girl said to her sister, but it was excluded; but we can guess what it was. This woman had just found her sister in an insane hospital with a babe in her arms. She went of course to find out who had done this grievous wrong to her crazy sister, and she took her sister and the baby with her, in order to find out who the father was, if possible. What would an innocent, right-minded man have said, if he had been called upon on such an errand! He would have cried out: "I don't know; I am sorry I do not, but I will hunt the lecherous rascal down if I have to hunt him to the ends of the earth. I will pursue to the best of my ability and power the fellow who has disgraced my institution and the Commonwealth in this way. My dear lady, don't weep; I am as sorry as you can be; I grieve with you; I have been hunting for the scoundrel, and will continue to hunt for him." That is what any man who is fit to live on earth would have said; but what did he say? "We know how to make babies here, don't we, Charlotte?" And that is all the satisfaction the poor woman got for this great wrong to her demented sister. Gentlemen of the Committee, Captain Marsh does not deny this.

The chairman. — I understand he did.

Governor Butler. — He said that he did not remember that she had a sister. I read from the record: "I have no doubt she was gotten with child in this institution. I did not use the words. I do not remember she had a sister." Now, don't you think that such a scene would have been stamped upon your mind, Mr. Chairman, and upon the minds of every gentleman of this committee as if with a burning branding iron. It would have been more indellibly impressed upon your minds than was the tattooed picture of the crucifixion upon poor Eklund's breast, which was not to be erased even by tanning after death. You believe that woman. Is there a man on the committee that dares put his hand on his heart, and upon his honor, and upon his conscience say he does not believe that woman? What motive could she have to testify falsely to such a story? She left at the almshouse her name and address, and it was by Capt. Marsh put on the books, — look at the record, you find it there, — and told him that

if anything happened to her sister to send her word, and she would come and get her. They sent her some letters; but when her sister died they did not notify her of the death, and all the time she was living at the same place. She did not hear of the death until some three months afterwards, and then she heard of it from an acquaintance, who had been at Tewksbury and heard of her sister's death. And the unhappy woman was never informed of her loss so that she could get her sister's remains, because the body was worth $15 or $16 to Tom Marsh, Jr.

The chairman.—Now you are out of the record, Governor. There is no evidence that her body went to any medical school, that I remember.

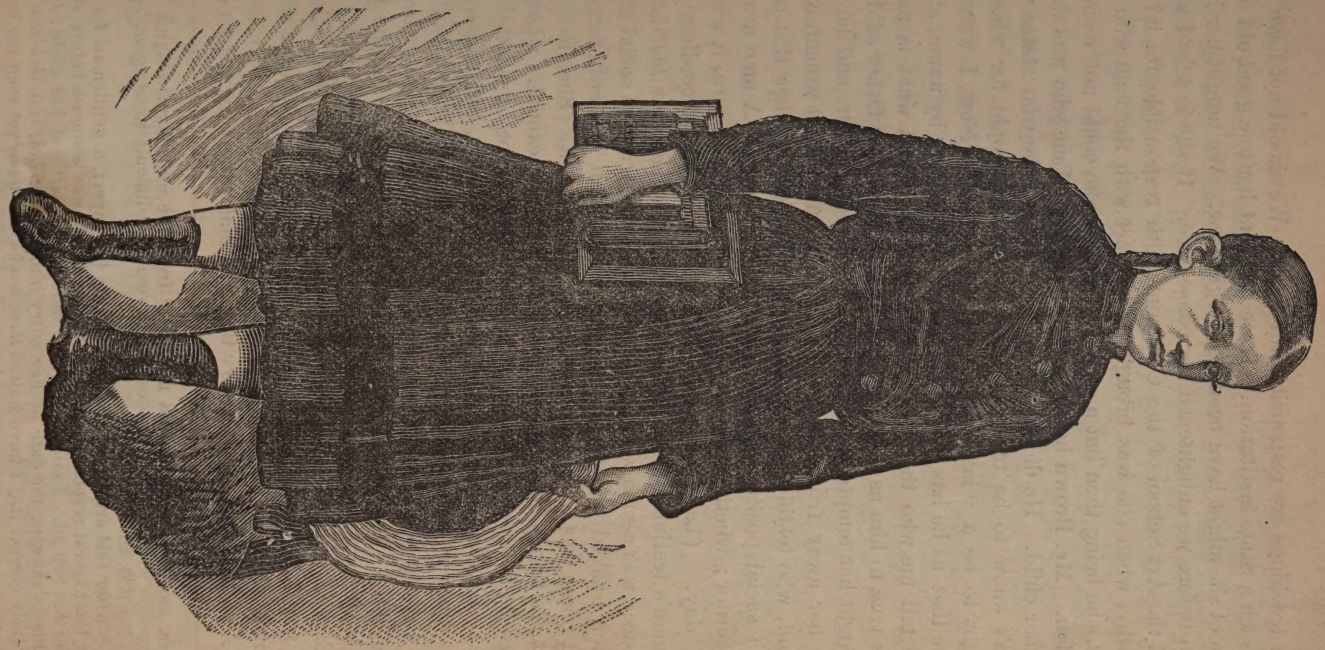
Governor Butler.—Pardon me, sir; let us see. They claim that, by the law, they had a right to any body that was not called for; that they had a right to send such body to Harvard, and to receive for the same $15, and $16 when they were sent to the Boston School of Medicine. Then the moment—if after 24 hours from death—a body was not called for it was worth $15 if carried to the Harvard Medical School, and $16 if carried to either of the other ones. I don't care where it did go, mine was the correct proposition; that was the commercial value of Charlotte Anderson's body, and that is what the corpse was worth for him to take to Harvard, and there is no record of burial in that case; and also let me say in passing that there is not a single burial recorded in the books, and they will make my statement good. There is a record of funeral services over bodies and blocks of wood, when the bodies have gone to Harvard and elsewhere.

If there were nothing else but this case of Charlotte Anderson, I appeal to the fathers, mothers, brothers, and sisters of this Commonwealth, if one case of such action toward a poor, sorrowing sister, injured in the institution for which you and I are responsible, is not enough to turn such management out, as did one "who spake as never man spake," with a whip of small cords? (Applause.)

But let us pass from this, for I must hurry on. Now, I want to say one word about Miss Eva Bowen. She has been the target for every prurient-minded rascal in the Commonwealth since she came on to this stand. She was a girl adopted by a rich father who loved her, even unto death. She was the product of one of our schools; perfectly educated at fifteen, writing a most beautiful hand. She was taught in the Normal Art School, where they model nude figures in clay.* If she had prurient notions when she was fifteen years old,

* The report of a committee of investigation of a Republican Legislature of that school in 1882, says: "From its (the Normal Art School) original and ostensible design it has widely departed. How, for instance, teaching water

MARY EVA BOWEN, Art School girl, reproduced from a photograph taken when she was fourteen years old. Her child died at Tewksbury, October, 1875. [See Record, pages 499 to 560]



our teachings are responsible for them. We should not have sent her to such a State institution. If we had sent her to a good old orthodox school she might have been a good girl now. We taught her imagination before we enlightened her conscience. If she is a bad woman is not the Art School of the Commonwealth responsible for it?* This is why, when she was brought in contact with the man who seduced her, she being then but a girl of 15 years, she could not resist temptation. Mr. Brown has told you that she told me who was the father of her child. He did not know that, and yet he who states what he don't know to be true, has a place among people for whom there ought to be a "lake of fire and brimstone." Now, I want to say here that as he has attempted to implicate a man by name, she never did tell me who the father of her child was, and what is more, she was true to him as it was put in evidence, that her father said that he thought her tempter had too much influence over her, and he tried to get her away from him. The defence put an old woman on to the stand, who testified that Eva Bowen's father told her that a man of high social position was his daughter's seducer. A man next to the Governor; whether he was above or below I don't care, it was before my day. (Laughter.) Now, Mr. Chairman, according to that woman's testimony, Eva Bowen's father told her that his daughter's seducer was a man who had large influence and a high social standing. When I asked what his name was, the woman suddenly forgot what that name was, or she swore she had forgotten it. She lied, because that is a thing such a woman never forgets — a scandal. (Laughter.) There is no trouble about that. She suddenly forgot what the name was. I called over the names of the presidents, but she could not remember what the name was, and that is all I did about it. I would not foster a scandal of that sort about any man of high or low social position. The girl ran away from her father's house for the purpose of having an abortion performed. She was found there, brought back and sent to the Oak Street Home, and upon the testimony of the physician at that Home, she was free from any disease when she went to Tewksbury.

And there she tells a story that will make the very rafters cry out.

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colors, modelling in clay and modelling from the nude human figure has any connection with industrial education, it would be difficult to imagine." — House Doc. No. 330, 1882.

* After this argument was published in the papers, a gentleman for whom I have the highest respect told me that Eva Bowen was seduced before she came to the Art School. I said I knew the date of the birth of her child; bring me the books showing the date of her entry into that school, and if I am wrong I will fully correct it. I have waited *three* weeks, but have not seen the books![1]

[1] Since this note was in type I have seen the books. The date of her entry was March 17, 1874, and her child was born March 26, 1875. I am told that she did not remain long enough in the school to reach the class of modelling in clay, and that there was at that time no modelling from nude *living* human figures in clay, nor since that time with the consent of the government of the school. *There was*, however, during that time, drawing of the human form in her class.

Now, what object did she have to come here and lie? She had told her story to a gentleman, not her friend in the sense that the prurient imagination of counsel tells it, and he wrote me an account just as she told it here. It was not a story she had made up, and every word of that story is true, and has been confirmed, and the only thing against it is in that book made up in the office of the Tewksbury almshouse, where it says three times over that she had syphilis. And the man who made the entry won't swear whether he made the entry about her from the Tewksbury books or whether he took it from her own mouth. Everywhere she is corroborated.

She said her father loved her, but that he felt her disgrace deeply. He was under the control of the stepmother, and the stepmother made him drive her away from his house. And he said that at that very time he was sending her money, and he wrote to her through the nurse, saying that it would be better for the family if she were dead. That statement was tortured into a statement that he wanted her killed. The poor girl never said so; that was what she said was in the letter. Mrs. Rowell was the nurse, and she read that letter. She is not dead. She received and read that letter, and she has got it for aught you and I know. Eva Bowen says that was what was in the letter. What interpretation Nellie Marsh put upon it — and she was the doctress of the Marsh family — God knows.* The girl says that immediately after she was given something, whatever it was, that almost poisoned her, and Mrs. Rowell flew to the rescue and gave her an antidote in order to save her life, although she vomited large quantities of black stuff up. No physician, no nurse, nobody from Tewksbury denies that.

Now, then, we hear a great deal about this girl being unchaste, nothing else. Well, be it so; she is the product of our education. We have no business to take a girl of fifteen years, just at the turn of life, and put her to school to model nude figures in clay. We simply excite her imagination until some rascal can take advantage of her passions against her conscience, and I told you in my annual message, before I heard of Eva Bowen, such would be the result of such teachings.

Now I come to the last matter that I wish to discuss with you, and I will do that in the very few minutes left to me. I have told you how they treated the living; I will now show you what they did with the dead.

Let us pause here.

This institution has been running ever since 1854, a quarter of a

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* She was the woman whom the Board of State Charities charged with causing the deaths of seven.

century of it under the Marshes, and there is no pretence of any record having been kept as to what has been done with the dead from that day to this, except for the last ten years out of the twenty-nine years in which there has been a memorandum book, which was purloined by Tom Marsh, Jr., and that is for only ten years; there is not the slightest record pretended to be kept, and there has not been any bond whatever for a large portion of the time of any form, and those given the last ten years are of no consequence whatever, only a hundred-dollar bond, and the colleges have all been supplied from it, and every one else has been supplied with dead bodies from the State almshouse in this loose and illegal way.

What do they do? Confessedly now beyond the reach of conjecture or disputed testimony. It is beyond dispute that they take everybody that their friends don't call for — and that's a very small portion — and send them to Harvard or other medical schools, or dispose of them as they choose. But before they do so, they call a priest and he says funeral services over the remains of those that are to be cut up, — that's undisputed, — and then they are put in a grave and afterwards dug up and carried of, or else they are put in the dead-house and then carried off. And where? To be put under the dissecting knife, and then, in the early times — for the first ten years — what remained of their bodies, instead of being buried, were thrown into a vault, where the eels and lobsters ate them. It is the undisputed testimony of Dr. Dean that the small parts of the body were commonly known in the dissecting-room as "eel bait."

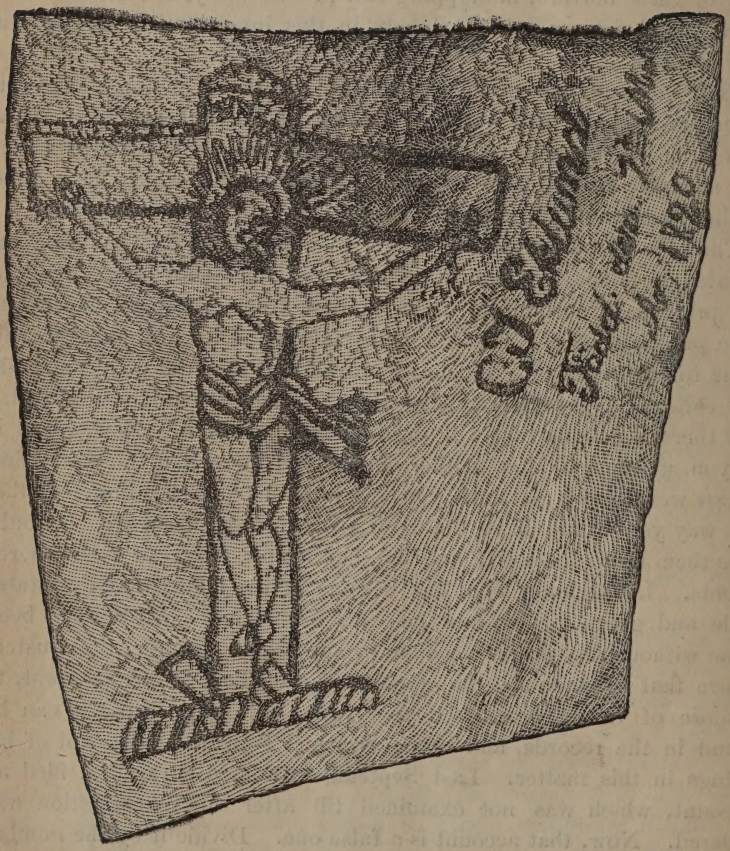
As I have said, over these mortal remains, once encasing an immortal soul, the authorities at Tewksbury paid $1 each from the public treasury to have the last sad religious rights and offices held when they were to be sent to the dissecting knife, and a portion of them made food for fishes, and other portions skinned and tanned as articles of luxury. Imagine the mummery! The holy priest, with eyes reverently raised to God, consigning "ashes to ashes and dust to dust," when those who employed him knew that the ritual should be "dust" to the dissecting table and "ashes" for food for lobsters and eels!

And the reason claimed why these bodies should be so disposed of is that they were to be buried at the public expense, if burying them should be absolutely incurred. Will the good people, the religious people of this Commonwealth, sanction such proceedings? Do they not shock and cause to vibrate with horror every nerve and pulsation of the heart? Are such funeral services not mummeries, desecrating the dead and bringing into contempt our holy religion, a vile parody upon its sacrament, and an argument against the resurrection

of the body! No tribe of savages has yet been discovered in the farthest territory north, or under the burning suns of the equator, or in the desolation of the South, where the remains of the dead are not reverently treated, save in the Commonwealth of Massachusetts, in the so-called interests of science. If I can succeed, either by having proper legislation made or arousing the people by an exhibition of these horrors, in stopping this practice only, I shall be more than repaid for my arduous labors in this investigation for the last four months.

They took no care of the sacred dead whatever, and that has been going on, and no man has any account of these dead except Tom Marsh, and he won't produce it, and therefore we are here without any account, and we have no account even of those which have gone to the dissecting knife or to the grave.

There is not a single body gone to a physician that has been accounted for since the institution has been run — not one. They do not pretend to account for them in their trustees' report, which has been produced here. The 585 bodies accounted for in that report all went to the colleges. We have proved that they did deliver outside the college in several cases, at least. These are undisputed facts, and there is nobody that will question that part of it. Now, I put it to you, gentlemen, that neither one of you knew that those startling things were going on until you got into this investigation. Is this the way you would have the bodies of the poor treated? I would give them up to science if need be, but keep a record of their whereabouts. Let us know what has become of the children of the State, little and great. Now, how has this been done? All this has been done without any proper account or authority. Nourse, the trustee, swore that he made a verbal appointment of Tom Marsh as agent, to dispose of dead bodies, ten years ago. No appointment can be found in the records, and he never asked Tom for an account of his doings in this matter. Last September, Nourse says, Tom filed an account, which was not examined till after this investigation was ordered. Now, that account is a false one. Divide it by the number of bodies, and you will find Tom Marsh says that he got $14 and some cents a body. It was proved that the colleges outside of Harvard gave $16, and so that account is a false one on its face. Harvard gave $15 and others $16 a body. The two the doctor from the insane asylum brought away are not in that account; they don't belong there. Now, all this is undisputed, Now, what did Dr. Dixwell say? He said, when I called him under a subpœna, he having sworn before the grand jury to the same thing: "I was at Harvard Medical School, and was an enthusiastic student of anatomy (I am not giving the words, but substance), and I had rather dissect whole



A piece of tanned skin from the breast of Charles J. Ekland, a Swede, on which was tattooed in India ink and cochineal, a picture of the Crucifixion, together with his name and date of birth. Pho. by ———. [See Record, pages 692 to 1042.]

babies than parts of adults. I fitted myself up with a dissecting-room in Cambridge, at my father's house, and took infant bodies there to dissect, and I know other students who bought them; so, taking what I knew, there were 150 to 200 bodies that we got of Andrews. We dissected the bodies required by our lessons on the college dissecting-table. These lessons must be the dissection of adults at that time (it has been changed since), and we got these infants of Andrews,* bought for $3, and the very best specimens for $5," and he said then that he got them at Tewksbury; I doubt whether he got them all at Tewksbury, though the death-rate was sufficient to supply him. Dixwell has been interested himself in this investigation, and he is a respectable physician. He came here against his will, as he went before the grand jury, and he there stated these facts, and no man has contradicted them, although they had all been known for years. They now come here and insist that there were never any infants on the dissecting-table. Be it so. Dr. Dixwell said he got the bodies of Andrews and paid for them. Now, I put on two men, who testified that they dissected infants there, and one infant so dissected counted as one of the parts required to be dissected by the college lessons.

Every institution has bad men in it, and every institution has good ones. When Christ, aided by Omniscience, too, chose twelve disciples, he chose one who had a devil. I don't believe that the Harvard Medical School averages any better than that. The defence brought three or four of these people here to swear that nobody ever dissected a body there, and nobody ever desired to so do. That is entirely contradicted now by the testimony of four or five witnesses. They said also that there never was but one body at a time in that dead-house. They swore that — two at the most. I had two men here yesterday — entirely outside men — who said they saw dead bodies, ten on the tables, and in the dead-room twelve to twenty more, piled up like cordwood, higgledy-piggledy, the dead infants between the adults' legs.

Now, then, there is another piece of evidence. One of our witnesses was Chase. Who is Chase? He was the sub-agent for these dead bodies, appointed by Thomas J. Marsh, and he swears that he heard words between Miss Manning and Marsh because he wouldn't pay her for the infants that were put in the trunks. And then, after keeping us here for days to listen to the swearing of these doctors that there were no children's bodies used in Harvard, the defence puts in the report of the trustees that there were thirty-six.

To meet his damning evidence they make an attack upon Dixwell,

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* Andrews had charge of the dead-house at Harvard Medical College.

as they do upon everybody else. I brought eight as respectable people as there are on earth, headed by Mr. Wendell Phillips who had known Dixwell from a boy up, who told you that Dr. Dixwell was honest, and no man ever knew anything to the contrary. Even Frothingham, whom I brought here — he had a quarrel with Dixwell, and I brought him here purposely, knowing that he was against me, because I knew that I held him by the throat by means of the letter he had written to Dixwell, wherein he said that he knew not where he could find such another efficient worker with him in the benevolent society of which Frothingham was an executive officer. I just let Frothingham loose, because I had a string by which I could hold him back just as I would a prattling parrot. And this man said that the only fault he found with Dixwell was that he was too charitable to the Russian Jews, and they quarreled over that. Dixwell says: "Very well; if I have paid out too much of the society's money to the Jews, I wont take my salary." But Frothingham begged him to take it and begged him to come back. Then after all these came Mr. Wendell Phillips. I have no occasion to enter upon any eulogy of him. He swore that he had known Dixwell, egg and bird, father and mother, sister and uncle, from a child, and there was no man in the world whose word he would trust sooner than his, and that he never had an idea of the lunacy with which Dixwell was charged. Lunacy is the remedy which these doctors use whenever a rich man wants to get rid of an old wife and marry a young woman. They swear the old lady is a lunatic and get her into the insane hospital, and she dies heart-broken there. Not a new weapon, this charge of lunacy. I have been battling this infernal idea of everybody's being a lunatic, whom it is desirable to imprison to get their property, for forty years. The chief of police, who had known Dr. Dixwell always, trusted this lunatic, as they call him, when he had the bullet taken from his arm, and the old experienced physician stood by and allowed Dixwell to use the knife. Now, Dixwell either told the truth or he did not tell the truth. If he did not tell the truth, Thomas Marsh's memorandum books will show it. You have no right to say Dixwell don't tell the truth while they keep back the record which will show it if he does not. Dr. Dixwell swore to these facts years ago, when nobody claims he was crazy. He must have then sworn falsely through mere devilish spite. And yet nobody claims that Harvard has ever done him any wrong. Therefore, I take his testimony, and you are bound to take it in the absence of the proper record, in contradiction of it, which they keep back in spite of your order repeated over and over again to bring them before you.

You have heard nothing in the last month from the satanic press, and if anybody wants to know why I give it that name, it is because

PIECES OF TANNED SKIN.

Figure 1, large piece of skin, taken from the back of a colored man, [see Record, pages 437 to 1042.] Figures 2 and 3, representing pieces of skin taken from two different persons. Figure 4, the skin of a woman in the rough, not yet curried smooth. Figures 5, 6, 7, 8 and 9, pieces of skin cut out of the slipper previously referred to. Figure 10, piece of negro skin, cut from the belly, showing the navel. Figure 11, another piece of skin cut from a colored person. Photo. by ———. [See Record, pages 437 to 1042.]

Satan is the father of lies. (Merriment.) You have heard in these papers about human skins nothing except that the Governor has shown only the freak of a student. (Producing a number of tanned human skins.) Now, there is a whole skin from one woman's back, from one tannery. I haven't given that away as a relic, have I? This is from a negro's belly, from another tannery. There is a shoe I took off of a shoemaker's bench. Here is the vamp and there is the counter. What were they cut from? Cut from this piece of the skin taken from a woman's breast you see here. Why didn't they cut closer? Because here close to the toe of the vamp is the nipple of the woman, as you see, and it would not be so strong and smooth if they cut any closer. All these are traced to Harvard and Tewksbury.

Here is another piece of woman's skin, tanned of a different color, the difference only is that one is tanned with sumac and another with hemlock bark. You have here still another piece from another tannery. There is still another which I offer here, where a man who was at Tewksbury had this picture of the crucifixion tattooed with India ink over his heart. I offered it in evidence, but the committee ruled it out.*

Now, this tanning and use of human skins has come to be an industry. What do you suppose people want of them? Well, there are old men and young men of jaded passions, worn out prematurely by their vices, and if they can put their feet in slippers made from a woman's breast, perhaps they can feed their imaginations.† This is

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* C. J. Eklund, whose name and date of birth, and picture of the crucifixion, is tattooed on this piece of human skin, was borne on the registry at Tewksbury almshouse, No. 55,140, in the year 1878. The same registry shows that he died there in August, 1879. A witness was produced before the committee to testify that he had seen this picture and name printed on his breast, when Eklund was in bathing with him. The committee refused the evidence by a party vote, because it was not in rebuttal of the evidence of the Marshes that no piece of human skin ever came from this!!! See Report of Evidence, p. 00.

† If these slippers, part of which were taken from a work bench, and the mate of which, finished, could be seen on exhibition in a window of a store in Washington street, Boston, during the investigation, were not made to be worn, what were they made for? The writers of scientific works on such subjects tell us.

The question has been asked many times, What could any man want such shoes and pieces of human skin for? The answer is given in the argument, and shows that human depravity has a demand for such things. Shall the people not be told of this horrible trade, in order that it may be stopped? Can there be "reform" of any practice so shocking, alas, as this?

The Republican legislature refused, however, to pass a bill presented by the minority of the committee, making it a crime to carry on the business of tanning the skins of human bodies.

no new thing, this cutting up of a human body and skinning it; but it was not formerly with the idea to put it on the feet of the aristocracy. Let us see how it was a few years ago. I hold in my hand Carlyle's "French Revolution." On page 354 Carlyle says: —

"Still deeper into one's heart goes that tannery at Meudon, not mentioned among other miracles of tanning! 'At Meudon,' says Montgaillard, with considerable calmness, 'there was *a tannery of human skins* — such of the guillotined worth flaying — of which perfectly good wash leather was made,' for breeches and other uses. The skin of the men, he remarks, was superior in toughness (consistence) and quality to shamoy; that of the women was good for almost nothing, being so soft in texture! History, looking back over cannibalism, through 'Purchas' Pilgrims' and all early and late records, will perhaps find no terrestrial cannibalism of a sort on the whole so detestable. It is a manufactured soft feeling, quietly elegant sort; a sort perfide! Alas, then, is man's civilization only a wrappage, through which the savage nature of him can still burst, infernal as ever? Nature still makes him; and has an infernal in her as well as a celestial."

It is paupers' skins that are tanned now for the slippers of the aristocrats. It was my lord and my lady's skins that were tanned then for the shoes and breeches of the paupers. It is your duty, gentlemen, and mine, to see that the wheel don't go round once again, if for no other reason than to save our own skins, for one side won't stand skinning always. It is the part of statesmanship so to govern that the people will not in revenge for our treatment of them skin us.

The Harvard doctors came here and swore that there never was such a thing as a negro's skin at Harvard. I have Drake's history of Harvard in my hand, in which a writer gives a picture of Harvard library as it existed in 1759. I will read it: "The library is very large and well stored with books, but much abused by frequent use. The repositories of curiosities, which was not over well stocked. Saw 2 Human Skellitons, *a piece of Neigro's hide tan'd*, &c. Horns and bones, fishes, skins of different animals stuff'd, &c. The skull of a Famous Indian Warrior, where was also the moddell of the Boston Man of Warr of 40 guns compleatly rig'd," &c.

It seems they have been at it for 150 years.

It is an old trick of theirs, and I am determined to put a stop to it somehow, and I want you to help me. And if we have done no other good thing by this investigation, we have called the attention of the people and the world to this infernal cannibalism. No matter who did it. We shall stop it now. It is said that it was done without the knowledge of the professors. Let them be more careful, then. It was said in the newspapers that the price of human skins was

greatly raised because I had stopped the supply. If I have done no other good than that, I have done so much at least.

Now, I am obliged to my brother for putting in the record of the Soldiers' Home, and I cannot, in the very few minutes I have left to me, do better than to call your attention to it. He said that it cost three dollars and a few cents a week to take care of the soldiers, and he wonders why it should cost so much, if I think I can carry on the State almshouse so cheap.

In the first place, look at the per cent. of what birth the inmates were; 58½ per cent. of the soldiers in the disabled soldiers' homes are of foreign birth. Before you go to throwing ridicule on the foreign born, let me tell you that you had better look into the question of who fought your battles. Some of us stayed at home and pressed soft cushions and skinned paupers, while these foreigners so much sneered at were fighting our battles.

A few words as to the food of this Soldiers' Home. I read from the record. It took 278 turkeys for their Thanksgiving dinner, and their last "pot-pie" required 34 sheep, 15½ barrels of potatoes and 2 barrels of flour. During the year they eat 758 head of cattle, 1,659 head of sheep, 3,714 barrels of flour, 15,744 dozen eggs, 154,932 pounds of butter, 69,289 pounds of coffee, 57,941 pounds of fish, 7,950 pounds of tea, 10,570 cans of tomatoes, 16,431 pounds of rice, 110,440 pounds of sugar, 21,325 pounds of prunes, and other articles too numerous to mention, amounting together to the sum of $204,728.20.

Now let us see what else they had. They had clothing — every one had a regimental suit. They had laundries; they had workshops, and a total of 505 employed in them; and the amount of their product was $158,766.67. The farms and gardens have afforded employment to a large number of inmates, and return a fair revenue to the home after deducting the compensation paid to the men for their labor and defraying all the other expenses. The total value of the products for the year were $32,150.18, and the net profits $6,447.20. From the sale of flowers the Central Branch realized this year $1,489.50. The chief gardener reports 64,510 plants, shrubs, etc., on hand, which he reports to be worth $8,880.65. The cigar shop gave employment to ninety men, who earned $6,160.15, and made 1,858,515 cigars, which sold for $33,347.41, and realized to the home a net profit of $2,901.15. Eighteen men with knitting machines made 2,069 dozen pairs of stockings, which realized a total of $7,391.46, and a profit of $1,478.26. One disabled soldier made 161 dozen brooms, which, after paying for material and his labor, returned a net profit of $203.12. The shoe shop turned out 220 pairs of boots and 286 pairs of shoes, all hand made, and with them a

profit of $1,256.36, and the tailor shop 695 garments made and twice as many more repaired to the profit of the home of $1,435.32, and the soap factory 121,599 gallons of soft soap, and 29,309 pounds of hard soap, largely made from material gotten from the kitchens of the home. The total value of the products for the year were $32,750.18, and the net profit $6,447.20. The soldiers have a library of 17,581 volumes, and reading-rooms supplied with all the leading newspapers and magazines of the country. Now, then, for the bill of fare. On Sunday — Breakfast, boiled ham, fried potatoes, graham bread, butter, coffee; dinner, roast mutton, potatoes, turnips, apple pie, bread, butter, coffee; supper, tomatoes (stewed), bread, butter, gingerbread, tea. Monday — Breakfast, corned beef, potatoes, butter, bread, coffee; dinner, vegetable soup, boiled beef, potatoes, bread, crackers; supper, hominy and syrup, biscuit, butter, cheese, tea. Tuesday — Breakfast, Irish stew, potatoes, bread, butter, coffee; dinner, pickled shoulders, cabbage, beets, bread, butter, coffee; supper, bread, butter, apple sauce, cookies, tea. Wednesday — Breakfast, fried beef, fried onions, potatoes, bread, butter, coffee; dinner, mutton, pot-pie, pickles, graham bread, coffee; supper, cold beef, tomatoes, bread, butter, tea. Thursday — Breakfast, pickled pork loins, potatoes, bread, butter, coffee; dinner, vermicelli soup, boiled beef, potatoes, bread, crackers; supper, biscuit, pearl wheat, syrup, pickled onions, cheese, tea. Friday — Breakfast, mackerel, fried onions, potatoes, bread, butter, coffee; supper, pickled beets, cinnamon cake, fruit, bread, butter, tea. Saturday — Breakfast, beef fricassee, bread, butter, coffee; dinner, pork and beans, stewed parsnips, bread, butter, coffee; supper, rice and syrup, pickles, biscuit, butter, cheese, tea. And that sort of living for less than twenty cents a day and $1.40 a week. Did not I know whether I could run our almshouse here for $70,000, as I offered the Legislature to do, instead of $93,000 which it now costs the State yearly?

I knew how cheaply I could run it to a shaving, and thus save $25,000 to the taxpayers. No trouble about it at all. Read that report, and then let any man undertake to talk about the way the soldiers' homes were carried on. I am always glad when I can find a fair opportunity to speak by the record about these homes. They were not almshouses. These men were my old comrades, and these homes were where I meant they should live, and where they did live as well as I do, and no man of them ever complained. Never! And whenever anybody wants to investigate this institution, while it was under my charge, I won't call an officer, I will call no officer to testify for me, but I will raise my hand, and will say, "My old comrades, come here and defend your old commander," and they will clear out

from this State House my slanderers so quick your heads would swim.

And that brings me to just this. Here this almshouse has been running for nearly thirty years. Sixty odd thousand inmates have been there and the Marshes have not brought a single one to say a good word for them, except that vile libertine French Joe. Not one. They cannot find one that has been there, man or woman, sane or insane, who will testify that the inmates were well treated. Nobody is crazy enough to say a good word for the Marshes except when the Marshes stand over them. Isn't that so? Wouldn't you be ashamed to be at the head of an institution for a quarter of a century where nobody would say a good word for you in your time of trial. You were told that these soldiers' homes cost $1 more a week only than did the burnt rye coffee, tea, bad beef, bad fish, — as they admitted, the worst they could buy, all bone, — than did the living at this almshouse. I don't want these paupers to lose any comfort. Give me charge of them, and I will see they are well fed, I will give somebody charge of them whom I can direct and tell how to do it without stealing half of it. I know how much such an institution will cost. I know you see whereof I affirm.

There is another matter in which we have done good in another way. This investigation has brought out through all the land painful facts, and has turned everybody's attention to them from Maine to Georgia. Every week I see where some almshouse is being investigated. In the *Tribune* of yesterday there is this: "If General Butler were Governor of Texas, he might perhaps find a legitimate object of attack in the Dallas county poor-farm, the alleged brutal management of which is said to be creating intense excitement and indignation. Already there are reports of a man clubbed to death and a little girl beaten with a fence rail, not to mention one death through neglect, constant cruelty, and insufficient food. An official investigation with sensational results is expected."

They are waking up to these cruelties down in Texas. We have woke them up everywhere. We have done a "heap" of good.

It has been a benefit to the whole country, and I claim this benefit, if no more, for your labors and mine. All that was before us when we began was the necessity of a change in administration at Tewksbury. And with me, that there might be greater economy, and greater comfort with greater economy. I would give three dollars where one dollar is given now rather than have a comfort taken away from one of these poor creatures. As it has been, they do not get the worth of the money that is expended on them. There are too many officers that do nothing; too many matrons just out of school, only fit to go out riding with Charles Marsh or Tom Marsh. Call

that little chit, who was up here, a matron?* Pay her a matron's wages out of the State's funds when she is hardly out of her leading strings? Let us have ladies who have reached the years of discretion, and we won't want so many of them. Why, we would want a thousand such as some they employed there to do any good among a lot of old men except to excite their passions. What we began this inquiry for has been accomplished. The Marshes and French Joe are gone, and the Board of Health and Charity, when I put the responsibility of keeping the Marshes there, did what they knew they should and must do to get rid of them and unload them. They could and would not bear that burden a moment. I knew that when I put it upon them. They were responsible men. That's why they made so much objection to taking Tewksbury almshouse, for they knew the moment they took upon them the duty of trustees that moment the responsibility came upon them, and then they must turn out the Marshes, and they must strike a vital blow at their party. There can be no doubt upon this subject. We have now got a different management. Mr. Brown says it is not a good management. Very well. I will examine that as soon as I can — I was going to say, as soon as I get rid of you, gentlemen, but perhaps I had better say as soon as you get rid of me I will attend to that, and if what he said is true, the Governor who made the Board of Lunacy and Charity trustees of the State almshouse, can unmake them; so there is no trouble. All needed reform is accomplished.

Except that there remains something that I hardly care to speak of, a political purpose, I am done. I was accused of having my own political objects in this matter. How was I going to get them? By doing my duty, I suppose. I don't know any other way I was to do it, and is not that a good way to accomplish political ends? I think it is. Do my honest duty by the State, by the people, and especially in behalf of poor creatures who have no other friends. Most of them cannot vote. Why, if I had been looking for votes I could have had the Marshes on my side with a wink. No trouble about that. They run the politics up in my neighborhood, and (turning to Tom Marsh, Jr.,) you did it exceedingly well, sir. But I could not do that. I am not on that side ever. God made me in only one way. I must be always with the under dog in the fight. I can't help it; I can't change, and upon the whole I don't want to.

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* Miss Locke, who is down on the books as a matron at $300 a year salary, testifies that within some months after she left school she was employed as a *matron* at Tewksbury, her father and mother both being there as officers. She refused on her oath to tell her age. Whoever heard of a woman before refusing to tell her age because she was too young. She was only past fourteen when she left school. A *matron* indeed!!

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